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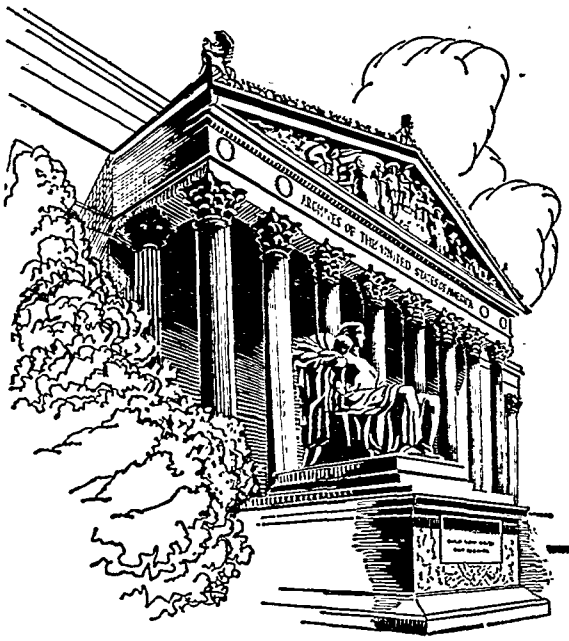

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A cumulative guide is published separately at the end of each month. The guide lists the parts and sections affected by documents published since January 1, 1969, and specifies how they are affected.

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Rules and Regulations

Title 1—GENERAL PROVISIONS

Chapter I—Administrative Committee of the Federal Register

CFR CHECKLIST

This checklist, arranged in order of titles, shows the issuance date and price of current bound volumes and supplements of the Code of Federal Regulations. The rate for subscription service to all revised volumes and supplements issued as of January 1, 1969, is $150 domestic, $40 additional for foreign mailing. The subscription price for revised volumes to be issued as of January 1, 1970, will be $175 domestic, $50 additional for foreign mailing.

Order from Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.

CFR Unit:		Price
1	(Rev. Jan. 1, 1969)	$1.00
2–3	(Rev. Jan. 1, 1969)	1.75
3	1936–1938 Compilation	6.00
	1938–1943 Compilation	9.00
	1943–1948 Compilation	7.00
	1949–1953 Compilation	7.00
	1954–1958 Compilation	4.00
	1959–1963 Compilation	6.00
	1964–1965 Compilation	3.75
	1966 Compilation	1.00
	1967 Compilation	1.00
	1968 Compilation	.75
4	(Rev. Jan. 1, 1969)	.50
5	(Rev. Jan. 1, 1969)	1.50
6	[Reserved]	
7	Parts:	
	0–45 (Rev. Jan. 1, 1969)	2.50
	46–51 (Rev. Jan. 1, 1969)	1.75
	52 (Rev. Jan. 1, 1969)	3.00
	53–209 (Rev. Jan. 1, 1969)	3.00
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	700–749 (Rev. Jan. 1, 1969)	2.00
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	1090–1119 (Rev. Jan. 1, 1969)	1.25
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	1200–1499 (Rev. Jan. 1, 1969)	2.50
	1500–end (Rev. Jan. 1, 1969)	1.50
8	(Rev. Jan. 1, 1969)	1.00
9	(Rev. Jan. 1, 1969)	2.00
10	(Rev. Jan. 1, 1969)	1.50
11	[Reserved]	
12	Parts:	
	1–299 (Rev. Jan. 1, 1969)	2.00
	300–end (Rev. Jan. 1, 1969)	2.00
13	(Rev. Jan. 1, 1969)	1.25
14	Parts:	
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	200–end (Rev. Jan. 1, 1969)	2.75
15	(Rev. Jan. 1, 1969)	2.00
16	Parts:	
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	150–end (Rev. Jan. 1, 1969)	2.00
17	(Rev. Jan. 1, 1969)	2.75
18	(Rev. Jan. 1, 1969)	4.00
19	(Rev. Jan. 1, 1969)	2.75
20	(Rev. Jan. 1, 1969)	3.50
21	Parts:	
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	120–129 (Rev. Jan. 1, 1969)	1.75
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	147–end (Rev. Jan. 1, 1969)	1.50
22	(Rev. Jan. 1, 1969)	1.75
23	(Rev. Jan. 1, 1969)	.35
24	(Rev. Jan. 1, 1969)	2.00
25	(Rev. Jan. 1, 1969)	1.75
26	Parts:	
	1 (§§ 1.01–1.300) (Rev. Jan. 1, 1969)	3.00
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	1 (§§ 1.851–1.1200) (Rev. Jan. 1, 1969)	2.00
	1 (§§ 1.1201–end) (Rev. Jan. 1, 1969)	3.00
	2–29 (Rev. Jan. 1, 1969)	1.25
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	1600–end (Rev. Jan. 1, 1969)	1.00
32A	(Rev. Jan. 1, 1969)	1.25
33	Parts:	
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	200–end (Rev. Jan. 1, 1969)	1.75
34	[Reserved]	
35	(Rev. Jan. 1, 1967)	5.25
	(Supp. Jan. 1, 1969)	.35
36	(Rev. Jan. 1, 1969)	1.25
37	(Rev. Jan. 1, 1967)	4.00
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38	(Rev. Jan. 1, 1969)	3.50
39	(Rev. Jan. 1, 1969)	3.75
40	[Reserved]	
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	18 (Rev. Jan. 1, 1969)	3.25
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42	(Rev. Jan. 1, 1969)	1.50
43	Parts:	
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	1000–end (Rev. Jan. 1, 1969)	2.75
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45	(Rev. Jan. 1, 1969)	3.25
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48	[Vacated; Reserved]	

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	1000–1199 (Rev. Jan. 1, 1969)	1.25
	1200–1299 (Rev. Jan. 1, 1969)	3.25
	1300–end (Rev. Jan. 1, 1969)	1.00
50	(Rev. Jan. 1, 1969)	1.25
General Index (Rev. Jan. 1, 1969)		1.25
List of Sections Affected, 1949–1963 (Compilation)		6.75

Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 213—EXCEPTED SERVICE

Department of Commerce

1. Section 213.3314 is amended to show that the Schedule C authorities for positions of one Private Secretary each to the Administrators of the Federal Highway Administration and the National Highway Safety Agency are transferred to the Department of Transportation. Effective on publication in the FEDERAL REGISTER, subparagraph (40) of paragraph (a) and subparagraph (3) of paragraph (g) of § 213.3314 are revoked.

2. Section 213.3352 is amended to show that one position of Special Assistant to the Administrator, St. Lawrence Seaway Development Corporation is transferred to the Department of Transportation. Effective on publication in the FEDERAL REGISTER, § 213.3352 is revoked.

3. Section 213.3357 is amended to show that the Schedule C authorities for the positions of Assistant to the Chief, Congressional Relations Division, Assistant Administrator for Congressional Relations, one Congressional Liaison Specialist, and one Private Secretary to the Administrator, Federal Aviation Agency, are transferred to the Department of Transportation.

Effective on publication in the FEDERAL REGISTER, § 213.3357 is revoked.

4. Section 213.3394 is amended to show that the Schedule C authorities for the following positions are transferred to the Department of Transportation from other departments and agencies: one Private Secretary each to the Federal Highway Administrator, the National Highway Safety Bureau Director, and the Federal Aviation Administrator; one Special Assistant to the Administrator, St. Lawrence Development Corporation; and the Assistant Administrator for Congressional Relations, one Assistant to the Assistant Administrator, and one Congressional Liaison Specialist, Federal Aviation Agency. Effective on publication in the FEDERAL REGISTER, subparagraphs (3) and (4) are addeded to paragraph (d), and paragraphs (g) and (h) are added to § 213.3394, as set out below.

§ 213.3394 Department of Transportation.

* * * * *

(d) *Federal Highway Administration.* * * *

(3) One Private Secretary to the Administrator.

(4) One Private Secretary to the Director, National Highway Safety Bureau.

* * * * *

(g) *St. Lawrence Seaway Development Corporation.* (1) One Special Assistant to the Administrator.

(h) *Federal Aviation Agency.* (1) One Private Secretary to the Administrator.

(2) One Assistant Administrator for Congressional Relations.

(3) One Assistant to the Assistant Administrator for Congressional Relations.

(4) One Congressional Liaison Specialist.

(5 U.S.C. 3301, 3302, E.O. 10577, 3 CFR 1954–1958 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[F.R. Doc. 69-10458; Filed, Sept. 2, 1969; 8:47 a.m.]

PART 213—EXCEPTED SERVICE

Small Business Administration

Section 213.3332 is amended to show that one position of Private Secretary for interdepartmental activities, Office of the Assistant Administrator for Congressional and Public Affairs is excepted under Schedule C. Effective on publication in the FEDERAL REGISTER, subparagraph (m) is added to § 213.3332 as set out below.

§ 213.3332 Small Business Administration.

* * * * *

(m) One Private Secretary for interdepartmental activities, Office of the Assistant Administrator for Congressional and Public Affairs.

(5 U.S.C. 3301, 3302, E.O. 10577, 3 CFR 1954–1958 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[F.R. Doc. 69-10459; Filed, Sept. 2, 1969; 8:47 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Administration, Department of Transportation

SUBCHAPTER C—AIRCRAFT

[Docket No. 69-CE-16-AD; Amdt. 39-829]

PART 39—AIRWORTHINESS DIRECTIVES

Allison Model 250-C18 Engines

Amendment 39-816 (34 F.R. 13099), AD 69-16-5, applicable to Allison Model 250-C18 engines installed in Bell Model 206A helicopters, is an airworthiness directive which requires, in part, on or before November 3, 1969, the installation of a visual indicator which will indicate to the pilot metal particle accumulation on the magnetic drain plugs having a resistance of 20,000 ohms or less.

After issuing Amendment 39-816, the Federal Aviation Administration has determined that the 20,000 ohms or less resistance requirement is impractical and that it would be more advantageous to install an existing approved magnetic particle visual indicator as described in Bell Service Letter 206A-129, dated August 11, 1969, or later FAA-approved revision or an equivalent installation approved by Chief, Engineering and Manufacturing Branch, FAA, Central Region. This latter installation is less expensive and will accomplish the same end. Accordingly, paragraph B of the airworthiness Directive is being amended to effect this change.

Since this amendment is in the interest of safety and relaxatory in nature, it is found that compliance with the notice and public procedure provisions of the Administrative Procedure Act is not necessary and the amendment may be effective in less than thirty (30) days.

In consideration of the foregoing and pursuant to the authority delegated to me by the Administrator (31 F.R. 13697), § 39.13 of Part 39 of the Federal Aviation Regulations, Amendment 39-816 (34 F.R. 13099, AD 69-16-5), is amended as follows:

Revise paragraph B to read as follows:

(B) On or before November 3, 1969, install a visual magnetic plug indicator as described in Bell Service Letter 206A-129, dated August 11, 1969, or later FAA-approved revision or an equivalent installation approved by Chief, Engineering and Manufacturing Branch, FAA, Central Region.

This amendment becomes effective August 30, 1969.

(Secs. 313(a), 601, and 603, Federal Aviation Act of 1958; 49 U.S.C. 1354(a), 1421, and 1423, sec. 6(c), Department of Transportation Act; 49 U.S.C. 1655(c))

Issued in Kansas City, Mo., on August 22, 1969.

DANIEL E. BARROW,
Director, Central Region.

[F.R. Doc. 69-10449; Filed, Sept. 2, 1969; 8:46 a.m.]

[Docket No. 69-EA-99; Amdt. 39-827]

PART 39—AIRWORTHINESS DIRECTIVES

Fairchild Hiller Aircraft

The Federal Aviation Administration is amending § 39.13 of Part 39 of the Federal Aviation Regulations so as to amend AD 66-27-5 applicable to Fairchild Hiller type F27 and FH-227 airplanes.

Service experience, since promulgation of AD 66-27-5, has indicated that the repetitive inspection period may be increased from 150 hours to 1,200 hours which is a relaxation, but that the FH-227 having shown similar experience must be included in the airworthiness

directive. The regulation as promulgated comprises a revision to AD 66–27–5 as well as reference to the FH–227 airplanes. In view of the fact that the inspection for cracks requires the expeditious adoption of this regulation, notice and public procedure are impractical and the amendment may be made effective in less than 30 days.

In consideration of the foregoing and pursuant to the authority delegated to me by the Administrator, 14 CFR 11.85 (31 F.R. 13697), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by revising AD 66–27–5 as follows:

FAIRCHILD HILLER. Applies to Type F–27A, F–27F, F–27G, F–27J, F–27M, and FH–227 airplanes certificated in all categories.

Compliance required as indicated.

To detect cracks in the skin, stringers, and rib caps of the upper and lower surfaces of the horizontal stabilizer, accomplish the following:

(a) For F–27A, F–27F, and F–27G airplanes, comply with (c) within the next 50 hours' time in service after the effective date of this AD, unless already accomplished within the last 250 hours' time in service, and thereafter at intervals not to exceed 300 hours' time in service from the last inspection.

(b) For F–27J and F–27M airplanes, comply with (c) within the next 50 hours' time in service after the effective date of this AD, unless already accomplished within the last 10 hours' time in service, and thereafter at intervals not to exceed 60 hours' time in service from the last inspection.

(c) Inspect the horizontal stabilizer for cracks in accordance with Fairchild Hiller Service Bulletin No. 55–6, Revision 3, dated July 20, 1965, or later revision using X-ray or dye penetrant in conjunction with a glass of at least 10-power, or an FAA-approved equivalent. Repair cracked parts or replace them with an unused part of the same part number or an equivalent part before further flight, except that the airplane may be flown in accordance with FAR 21.197 to a base where the repair can be performed.

(d) For FH–227 type airplanes and for F–27A, F–27G, F–27J, F–27F, and F–27M airplanes having the FH–227 horizontal stabilizer installed, comply with (f) within the next 150 hours' time in service after the effective date of this AD, unless already accomplished within the last 1,050 hours' time in service, and thereafter at intervals not to exceed 1,200 hours' time in service from the last inspection.

(e) The repetitive inspection interval specified in (a) may be increased from 300 hours' time in service to 1,200 hours' time in service from the last inspection and the repetitive inspection interval specified in (b) may be increased from 60 hours' time in service to 150 hours' time in service from the last inspection on airplanes modified in accordance with Fairchild Hiller Service Bulletin No. 55–7, dated July 20, 1965, or later revision or an equivalent method.

(f) Inspect the horizontal stabilizer for cracks in accordance with Fairchild Hiller Service Bulletin FH–227, 55–9, dated July 7, 1969 or later revision or an equivalent method using X-ray or dye penetrant in conjunction with a glass of at least 10-power, or an FAA-approved equivalent. Repair cracked parts or replace them with an unused part of the same part number or an equivalent part before further flight, except that the airplane may be flown in accordance with FAR 21.197 to a base where the repair can be performed.

(g) Upon request with substantiating data submitted through an FAA maintenance inspector, the compliance times specified in this AD may be increased by the Chief, Engineering and Manufacturing Branch, FAA Eastern Region. Equivalent inspections, parts and revisions to service bulletins must be approved by the Chief, Engineering and Manufacturing Branch, FAA Eastern Region.

This amendment is effective September 4, 1969.

(Secs. 313(a), 601, and 603, Federal Aviation Act of 1958; 49 U.S.C. 1354(a), 1421, and 1423; sec. 6(c), Department of Transportation Act; 49 U.S.C. 1655(c))

Issued in Jamaica, N.Y., on August 21, 1969.

WAYNE HENDERSHOT,
Acting Director, Eastern Region.

[F.R. Doc. 69–10450; Filed, Sept. 2, 1969; 8:46 a.m.]

[Docket No. 69–EA–104; Amdt. 39–828]

PART 39—AIRWORTHINESS DIRECTIVES

Sikorsky Helicopters

Amendment 39–809, AD 66–22–5, requires removal, alteration, inspection, and maintenance of the main rotorblades of the Sikorsky Model S–61 series helicopters as described therein. After issuing amendment 39–809, the Administrator determined that the amendment created an undue burden upon the operators of said aircraft in view of the unavailability of qualified operator personnel to perform the frequent checks required at the many airports the aircraft serve. Therefore, the AD is being amended to permit the helicopter pilot to make the visual checks of the main rotor blade pressure indicators required by paragraph (d) of the AD.

Since this amendment provides an alternative means of compliance and imposes no additional burden on any person, notice and public procedure hereon are unnecessary and the amendment may be made effective in less than 30 days.

In consideration of the foregoing and pursuant to the authority delegated to me by the Administrator, 14 CFR 11.85 (31 F.R. 13697), § 39.13 of Part 39 of the Federal Aviation Regulations, Amendment 39–809, AD 66–22–5 is amended by adding the following paragraph at the end thereof:

(g) The visual checks of the main rotor blade pressure indicators required by paragraph (d) of this AD may be performed by the pilot.

This amendment becomes effective September 4, 1969.

(Secs. 313(a), 601, and 603, Federal Aviation Act of 1958; 49 U.S.C. 1354(a), 1421, and 1423; sec. 6(c), Department of Transportation Act; 49 U.S.C. 1655 (c))

Issued in Jamaica, N.Y., on August 22, 1969.

WAYNE HENDERSHOT,
Acting Director, Eastern Region.

[F.R. Doc. 69–10451; Filed, Sept. 2, 1969; 8:46 a.m.]

[Docket No. 69–CE–18–AD; Amdt. 39–831]

PART 39—AIRWORTHINESS DIRECTIVES

Allison Model 250–C10 and Model 250–C18 Series Engines

There has been a failure of P/N 6840847 helical power train drive gear internal spline on an Allison Model 250–C18 engine which resulted in power turbine overspeed and turbine wheel burst.

Since this condition is likely to exist or develop in other engines of the same type design, an airworthiness directive is being issued requiring within the next 50 hours' time in service after the effective date of this AD, on all Allison Models 250–C10 and 250–C18 Series engines having more than 750 hours' time in service since new or last overhaul, inspection of the internal spline in accordance with Allison Commercial Service Letter No. 250 CSL–35, dated August 15, 1969, to detect a wear condition which can result in these failures. If the inspection discloses excessively worn splines they must be replaced with serviceable parts before returning the engine to service. The inspection shall be repeated at time intervals not to exceed 750 hours' time in service. When the engine is modified per Allison Commercial Engine Bulletin No. 250 CEB–61, dated July 25, 1969, the inspections required by this AD may be discontinued.

Since immediate action is required in the interest of safety, compliance with the notice and public procedures provision of the Administrative Procedure Act is impracticable and good cause exists for making this amendment effective in less than thirty (30) days.

In consideration of the foregoing and pursuant to the authority delegated to me by the Administrator (31 F.R. 13697), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new AD:

ALLISON: Applies to Models 250–C10 and 250–C18 Series Engines.

Compliance: Unless already accomplished, within the next 50 hours' time in service after the effective date of this AD, on all engines having 750 or more hours' time in service since new or last overhaul, or at or before 800 hours' time in service on engines that have less than 750 hours' time in service since new or last overhaul at the effective date of this AD, accomplish the following:

To detect excessive wear of the internal splines:

(A) Inspect the internal spline on the P/N 6840847 helical power train drive gear using an Allison P/N EX 83339 plug gage. If this gage enters the spline, replace the gear with a new or serviceable part prior to returning the engine to service. Allison Commercial Service Letter No. 250 CSL–35, dated August 15, 1969, pertains to this inspection.

(B) When the engine is modified in accordance with Allison Commercial Engine Bulletin No. 250 CEB–61, dated July 25, 1969,

the inspections required by Paragraph A of this AD will no longer be required. Gear boxes having Serial Numbers ending in the suffix "B" incorporate Commercial Engine Bulletin No. 250 CEB-61.

This amendment becomes effective September 3, 1969.

(Sec. 313(a), 601 and 603, Federal Aviation Act of 1958, 49 U.S.C. 1354(a), 1421, and 1423, sec. 6(c), Department of Transportation Act 49 U.S.C. 1655(c))

Issued in Kansas City, Mo., on August 25, 1969.

DANIEL E. BARROW,
Acting Director, Central Region.

[F.R. Doc. 69-10473; Filed, Sept. 2, 1969; 8:48 a.m.]

SUBCHAPTER F—AIR TRAFFIC AND GENERAL OPERATING RULES

[Reg. Docket No. 9776; Amdt. 665]

PART 97—STANDARD INSTRUMENT APPROACH PROCEDURES

Miscellaneous Amendments

The amendments to the standard instrument approach procedures contained herein are adopted to become effective when indicated in order to promote safety. The amended procedures supersede the existing procedures of the same classification now in effect for the airports specified therein. For the convenience of the users, the complete procedure is republished in this amendment indicating the changes to the existing procedures.

As a situation exists which demands immediate action in the interests of safety in air commerce, I find that compliance with the notice and procedure provisions of the Administrative Procedure Act is impracticable and that good cause exists for making this amendment effective within less than 30 days from publication.

In view of the foregoing and pursuant to the authority delegated to me by the Administrator (24 F.R. 5662), Part 97 (14 CFR Part 97) is amended as follows:

1. By amending § 97.11 of Subpart B to delete low or medium frequency range (L/MF), automatic direction finding (ADF) and very high frequency omnirange (VOR) procedures as follows:

Boston, Mass.—General Edward Lawrence Logan International, ADF 1, Amdt. 14, 22 Jan. 1966 (established under Subpart C).
Boston, Mass.—General Edward Lawrence Logan International, NDB (ADF) Runway 22L, Orig., 29 May 1969 (established under Subpart C).
Boston, Mass.—General Edward Lawrence Logan International, ADF 3, Amdt. 3, 6 Feb. 1969 (established under Subpart C).
Grand Junction, Colo.—Walker Field, ADF 1, Amdt. 4, 24 Sept. 1966 (established under Subpart C).
Lubbock, Tex.—West Texas Air Terminal of Lubbock, ADF 1, Amdt. 9, 3 July 1965 (established under Subpart C).
Boston, Mass.—General Edward Lawrence Logan International, VOR-22L, Amdt. 8, 6 Feb. 1969 (established under Subpart C).
Boston, Mass.—General Edward Lawrence Logan International, VOR-27, Amdt. 7, 6 Feb. 1969 (established under Subpart C).
Lubbock, Tex.—West Texas Air Terminal of Lubbock, VOR 1, Orig., 31 July 1965 (established under Subpart C).

2. By amending § 97.11 of Subpart B to cancel low or medium frequency range (L/MF), automatic direction finding (ADF) and very high frequency omnirange (VOR) procedures as follows:

Chicago, Ill.—Chicago-Midway, NDB (ADF) Runway 13 L and R, Amdt. 26, 15 Aug. 1968, canceled, effective 25 Sept. 1969.
Chicago, Ill.—Chicago-Midway, NDB (ADF) Runway 31 L and R, Amdt. 17, 15 Aug. 1968, canceled, effective 25 Sept. 1969.

3. By amending § 97.13 of Subpart B to delete terminal very high frequency omnirange (TerVOR) procedures as follows:

Boston, Mass.—General Edward Lawrence Logan International, TerVOR-33, Amdt. 8, 6 Aug. 1966 (established under Subpart C).

4. By amending § 97.13 of Subpart B to cancel terminal very high frequency omnirange (TerVOR) procedures as follows:

Boston, Mass.—General Edward Lawrence Logan International, TerVOR-4R, Amdt. 7, 6 Aug. 1966, canceled, effective 25 Sept. 1969.

5. By amending § 97.15 of Subpart B to delete very high frequency omnirange-distance measuring equipment (VOR/DME) procedures as follows:

Boston, Mass.—General Edward Lawrence Logan International, VOR/DME No. 1, Amdt. 5, 6 Feb. 1969 (established under Subpart C).
Lubbock, Tex.—West Texas Air Terminal of Lubbock, VOR/DME No. 3, Orig., 3 July 1965 (established under Subpart C).

6. By amending § 97.15 of Subpart B to cancel very high frequency omnirange-distance measuring equipment (VOR/DME) procedures as follows:

Lubbock, Tex.—Municipal, VOR/DME No. 2, Amdt. 1, 3 July 1965, canceled, effective 25 Sept. 1969.

7. By amending § 97.17 of Subpart B to delete instrument landing system (ILS) procedures as follows:

Boston, Mass.—General Edward Lawrence Logan International, ILS-4R, Amdt. 17, 19 Nov. 1969 (established under Subpart C).
Boston, Mass.—General Edward Lawrence Logan International, LOC (BC) Runway 22L, Amdt. 1, 29 May 1969 (established under Subpart C).
Boston, Mass.—General Edward Lawrence Logan International, ILS-33L, Amdt. 5, 6 Feb. 1969 (established under Subpart C).
Chicago, Ill.—Chicago-Midway, ILS Runway 13R, Amdt. 25, 15 Aug. 1968 (established under Subpart C).
Grand Junction, Colo.—Walker Field, ILS-11, Amdt. 20, 24 Sept. 1966 (established under Subpart C).
Lubbock, Tex.—West Texas Air Terminal of Lubbock, ILS-17R, Amdt. 9, 3 July 1965 (established under Subpart C).
Lubbock, Tex.—West Texas Air Terminal of Lubbock, ILS-35L, (BC), Amdt. 4, 3 July 1965 (established under Subpart C).

8. By amending § 97.17 of Subpart B to cancel instrument landing system (ILS) procedures as follows:

Chicago, Ill.—Chicago-Midway, ILS Runway 31 L and R, Amdt. 6, 15 Aug. 1968, canceled, effective 25 Sept. 1969.

9. By amending § 97.19 of Subpart B to delete radar procedures as follows:

Boston, Mass.—General Edward Lawrence Logan International, Radar 1, Amdt. 16, 22 Jan. 1966 (established under Subpart C).
Chicago, Ill.—Chicago-Midway, Radar-1, Amdt. 12, 15 Aug. 1968 (established under Subpart C).
Lubbock, Tex.—West Texas Air Terminal of Lubbock, Radar 1, Orig., 21 May 1966 (established under Subpart C).

10. By amending § 97.23 of Subpart C to establish very high frequency omnirange (VOR) and very high frequency-distance measuring equipment (VOR/DME) procedures as follows:

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE VOR

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL, except HAT, HAA, and RA. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles or hundreds of feet RVR.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator. Initial approach minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: BOS VORTAC.
Acton Int	Boston VORTAC	Direct	2000	Make left-climbing turn to 2000′ direct Sandhills Int and hold; or, when directed by ATC, climb straight ahead to 2000′ direct HTM VOR and hold. Hold SW HTM VOR, 1 minute, right truns, 035° Inbnd.
R 271°, BOS VORTAC CW	R 011°, BOS VORTAC	10-mile Arc BOS R 359°, lead radial.	2300	
R 030°, BOS VORTAC CCW	R 011°, BOS VORTAC	10-mile Arc BOS R 023°, lead radial.	2000	
10-mile Arc	Saugus Int or 5.2-mile DME, R 011° BOS VORTAC (NOPT).	BOS R 011°	1200	

Supplementary charting information:
Hold SE of Sandhills Int, 1 minute, right turns, 333° Inbnd.
370′ stack 1 mile SW; 505′–638′ buildings 1.7 to 1.9 miles W; 845′ building 3 miles W.
Runway 22L, TDZ elevation, 16′.

Procedure turn E side of crs, 011° Outbnd, 191° Inbnd, 1900′ within 10 miles of BOS VORTAC.
Final approach crs, 191°.
Minimum altitude over Saugus Int or 5.2-mile DME, 1200′.
MSA: 000°–150°—1900′; 180°–360°—2400′.
NOTES: (1) ASR. (2) Inoperative components table does not apply to HIRL Runway 22L.
*Reduction of minimums not authorized.
#900–2 for Category C aircraft; 1000–2 for Category D aircraft.
%Left turn to 260° as soon as practicable after takeoff.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-22L*	540	1	524	540	1	524	540	1	524	540	1¼	524
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	680	1	661	680	1	661	820	1½	801	940	2	921
A	Standard.#		T 2-eng. or less—RVR 24′, Runways 4R and 33L;% 600–1, Runway 27; Standard all other runways.				T over 2-eng.—RVR 24′, Runways 4R and 33L;% 600–1, Runway 27; Standard all other runways.					

City, Boston; State, Mass; Airport name, General Edward Lawrence Logan International; Elev., 19′; Facility, BOS; Procedure No. VOR Runway 22L, Amdt. 9; Eff. date 25 Sept. 69; Sup. Amdt. No. VOR-22L, Amdt. 8; Dated, 6 Feb. 69

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: BOS VORTAC.
Acton Int	Boston VORTAC	Direct	2000	Make left-climbing turn to 2000′ direct to Sandhills Int and hold, or when directed by ATC, make left-climbing turn to 2000′ direct to HTM VOR and hold. Hold SW HTM VOR, 1 minute, right turns, 035 Inbnd.
R 030°, BOS VORTAC CW	R 086°, BOS VORTAC	10-mile Arc BOS, R 074°, lead radial.	2000	
R 148°, BOS VORTAC CCW	R 086 , BOS VORTAC	10-mile Arc BOS, R 098°, lead radial.	2000	
10-mile Arc	Winthrop Int or 4.7-mile DME, R 086°, BOS VORTAC (NOPT).	BOS R-086	1500	

Supplementary charting information:
Hold SE of Sandhills Int, 1 minute, right turns, 333° Inbnd.
370′ stack 1 mile SW.
505′–638′ buildings 1.7 to 1.9 miles W.
845′ building 3 miles W.
Runway 27, TDZ elevation, 16′.

Procedure turn N side of crs, 086° Outbnd, 266° Inbnd, 1900′ within 10 miles of BOS VORTAC.
Final approach crs, 266°.
Minimum altitude over Winthrop Int or 4.7-mile DME, 1500′.
MSA: 000°–180°—1900′; 180°–360°—2400′.
NOTES: (1) ASR. (2) Inoperative components table does not apply to I IRL Runway 27.
*Reduction of minimums not authorized.
#900–2 for Category C aircraft; 1000–2 for Category D aircraft.
%Left turn to 260° as soon as practicable after takeoff.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-27*	460	1	444	460	1	444	460	1	444	460	1	444
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	680	1	661	680	1	661	820	1½	801	940	2	921
A	Standard.		T 2-eng. or less—RVR 24′ Standard Runways 4R and 33L; 600–1 Runway 27; Standard all other Runways.%				T over 2-eng.—RVR 24′, Runways 4R and 33L; 600–1 Runway 27; Standard all other runways%					

City, Boston; State, Mass.; Airport name, General Edward Lawrence Logan International; Elev., 19′; Facility BOS; Procedure No. VOR Runway 27; Amdt. 8; Eff. date 25 Sept. 69; Sup. Amdt. No. VOR-27, Amdt. 7; Dated, 6 Feb. 69

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE VOR—Continued

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: BOS VORTAC.
Acton Int	Boston VORTAC	Direct	2000	Make right-climbing turn to 2000', direct to Danvers Int and hold, or when directed by ATC, make right-climbing turn to 2000' direct to Skipper Int and hold. Hold E. of Skipper Int, 1 minute, right turns, 279° Inbnd.
R 030°, BOS VORTAC CW	R 153°, BOS VORTAC	10-mile Arc BOS, R 141°, lead radial.	2000	
R 238°, BOS VORTAC CCW	R 153°, BOS VORTAC	10-mile Arc BOS, R 165°, lead radial.	2000	
Sandhills Int	Beach Int or 4.7-mile DME, R 153° BOS VORTAC (NOPT).	Direct	1500	Supplementary charting information: Hold NE of Danvers Int, 1 minute, right turns, 210° Inbnd. 370' stack 1 mile SW. 505'–638' buildings 1.7 to 1.9 miles W. 845' building 3 miles W. Runway 33L, TDZ elevation, 16'.

Procedure turn E side of crs, 153° Outbnd, 333° Inbnd, 1900' within 10 miles of BOS VORTAC.
Final approach crs, 333°.
Minimum altitude over Beach Int or 4.7-mile DME, 1500'.
MSA: 000°–180°—1900'; 180°–360°—2400'.
NOTE: ASR.
*Reduction of minimums not authorized. Inoperative components table does not apply to ALS Runway 33L. RVR 50' required.
#900–2 for Category C aircraft; 1000–2 for Category D aircraft.
%Left turn to 260° as soon as practicable after takeoff.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-33L*	460	RVR 40	444	460	RVR 40	444	460	RVR 40	444	460	RVR 50	444
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	680	1	661	680	1	661	820	1½	801	940	2	921
A	Standard.#		T 2-eng. or less—RVR 24', Runways 4R and 33L; 600–1 Runway 27; Standard all other runways.%				T over 2-eng.—RVR 24', Runways 4R and 33L; 600–1 Runway 27; Standard all other runways.%					

City, Boston; State, Mass.; Airport name, General Edward Lawrence Logan International; Elev., 19'; Facility BOS; Procedure No. VOR Runway 33L, Amdt. 9; Eff. date, 25 Sept. 69; Sup. Amdt. No. TerVOR-33, Amdt. 8; Dated, 6 Aug. 66

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 5.2 miles after passing LBB VORTAC.
R 004°, LBB VORTAC CCW	R 305°, LBB VORTAC	10-mile Arc LBB, R 316°, lead radial.	4700	Climb to 5000' on LBB VORTAC R 114° within 20 miles; or, turn right, climb to 5100' on LBB LOC (BC) 169° within 20 miles.
R 216°, LBB VORTAC CW	R 305°, LBB VORTAC	10-mile Arc LBB, R 294°, lead radial.	4700	
Spade Int	LBB VORTAC (NOPT)	R 305°	4700	Supplementary charting information: Delete from AL plate 3417' tower 1.3 miles NE of airport—tower nonexistent. Runway 12, TDZ elevation, 3252'.
10-mile Arc	LBB VORTAC (NOPT)	R 305°	4700	

Procedure turn N side of crs, 305° Outbnd, 125° Inbnd, 4700' within 10 miles of LBB VORTAC.
FAF, LBB VORTAC. Final approach crs, 112°. Distance FAF to MAP, 5.2 miles.
Minimum altitude over LBB VORTAC, 4700'.
MSA: 000°–090°—4600'; 090°–270°—5200'; 270°–360°—5000'.
NOTE: ASR.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT		VIS			VIS	
S-12	3600	1	348	3600	1	348		NA			NA	
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	3700	1	431	3720	1	451	3720	1¼	451	3820	2	551
A	Standard.		T 2-eng. or less—Standard.				T over 2-eng.—Standard.					

City, Lubbock; State, Tex.; Airport name, West Texas Air Terminal of Lubbock; Elev., 3269'; Facility, LBB; Procedure No. VOR Runway 12, Amdt. 1; Eff. date, 25 Sept. 69; Sup. Amdt. No. VOR 1, Orig.; Dated, 31 July 65

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE VOR—Continued

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: BFM VORTAC.
R 068°, BFM VORTAC CW	R 146°, BFM VORTAC (NOPT)	10-mile Arc	1800	Climbing left turn to 1800' to BFM VOR TAC and hold.
R 236°, BFM VORTAC CCW	R 146°, BFM VORTAC (NOPT)	10-mile Arc	1800	
10-mile Arc	Trace Int/3-mile DME Fix	R 146°, BFM VORTAC	600	Supplementary charting information: Hold S, 1 minute, left turns, 326° Inbnd. Runway 32, TDZ elevation, 26'.

Procedure turn W side of crs, 146° Outbnd, 326° Inbnd, 1800' within 10 miles of BFM VORTAC.
Final approach crs, 326°.
Minimum altitude over Trace Int/3-mile DME Fix, 600'.
MSA: 000°–180°—2400'; 180°–270°—1400'; 270°–360°—1700'.

NOTE: ASR.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-32	600	1	574	600	1	574	600	1	574	600	1¼	574
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	600	1	574	600	1	574	600	1¼	574	600	2	574
	VOR/DME Minimums:											
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-32	280	1	254	280	1	254	280	1	254	280	1	254
A	Standard.		T 2-eng. or less—Standard.				T over 2-eng.—Standard.					

City, Mobile; State, Ala.; Airport name, Brookley Field; Elev., 26'; Facility, BFM; Procedure No. VOR Runway 32, Amdt. Orig.; Eff. date, 25 Sept. 69

Terminal routes			Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 10 miles after passing HKY VOR.
				Climbing right turn to 4000', proceed to HKY VOR via R 116° and hold. Supplementary charting information: Hold NW, 1 minute, right turns, 116° Inbnd. Final approach crs to center of landing area.

Procedure turn not authorized. One minute holding pattern NW of HKY VOR, 116° Inbnd, right turns, 4000'.
FAF, HKY VOR. Final approach crs, 116°. Distance FAF to MAP, 10 miles.
Minimum altitude over HKY VOR, 4000'.
MSA: 000°–090°—4700'; 090°–180°—3600'; 180°–270°—5000'; 270°–360°—8000'.
NOTES: (1) Use Hickory, N.C., FSS altimeter setting. (2) No weather reporting. (3) Night operation not authorized on Runways 8/26.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C	D
	MDA	VIS	HAA	MDA	VIS	HAA	VIS	VIS
C	2000	3	1009	2000	3	1009	NA	NA
A	Not authorized.		T 2-eng. or less—Standard.				T over 2-eng.—Not authorized.	

City, Statesville; State, N.C.; Airport name, Statesville Municipal; Elev., 991'; Facility, HKY; Procedure No. VOR-1, Amdt. Orig.; Eff. date, 25 Sept. 69

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE VOR/DME

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL, except HAT, HAA, and RA. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles or hundreds of feet RVR.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator. Initial approach minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 1-mile DME, R 327° BOS VOR TAC.
R 238°, BOS VORTAC CW	R 327°, BOS VORTAC (NOPT)	10-mile Arc BOS, R 315° lead radial.	2300	Make left-climbing turn to 2000′ direct to Danvers Int and hold, or when directed by ATC, make left-climbing turn to 2000′ direct to Skipper Int, and hold. Hold E of Skipper Int, 1 minute, right turns, 279° Inbnd.
R 030°, BOS VORTAC CCW	R 327°, BOS VORTAC (NOPT)	10-mile Arc BOS, R 340° lead radial.	2000	Supplementary charting information: Hold NE of Danvers Int, 1 minute, right turns, 210° Inbnd. 370′ stack 1 mile SW. 505′–638′ buildings 1.7 to 1.9 miles W. 845′ building 3 miles W. Runway 15R TDZ elevation, 15′.

Procedure turn not authorized.
Minimum altitude over 6-mile DME R 327°, 1400′; over 5-mile DME R 327°, 1100′; over 3-mile DME R 327°, 620′.
MSA: 000°–180°—1900′; 180°–360°—2400′.
NOTES: (1) ASR. (2) Inoperative components table does not apply to HIRL Runway 15R.
*Reduction of minimums not authorized.
% Left turn to 260° as soon as practicable after takeoff.
# 900–2 for Category C aircraft; 1000–2 for Category D aircraft.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-15R*	540	1	525	540	1	525	540	1	525	540	1¼	525
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	680	1	661	680	1	661	820	1½	801	940	2	921
A	Standard. #		T 2-eng. or less—RVR 24′, Runways 4R and 33L; 600–1 Runway 27; Standard all other runways. %				T over 2-eng.— RVR 24′, Runways 4R and 33L; 600–1 Runway 27; Standard all other runways. %					

City, Boston; State, Mass.; Airport name, General Edward Lawrence Logan International; Elev., 19′; Facility, BOS; Procedure No. VOR/DME Runway 15R, Amdt. 6; Eff. date, 25 Sept. 69; Sup. Amdt. No. VOR/DME No. 1, Amdt. 5; Dated, 6 Feb. 69

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 6.4-mile DME Fix R 103°.
LBB VORTAC	11-mile DME Fix	R 103°	4700	Climb to 4700′ direct LBB VORTAC and R 305° within 15 miles.
R 216°, LBB VORTAC CCW	R 103°, LBB VORTAC	16-mile Arc LBB, R 110°, lead radial	5000	Supplementary charting information:
R 004°, LBB VORTAC CW	R 103°, LBB VORTAC	16-mile Arc LBB, R 096°, lead radial	5000	Delete from AL plate 3417′ tower 1.3 miles NE of airport—tower nonexistent.
16-mile DME Arc	11-mile DME Fix (NOPT)	R 103°	4700	Approach radial crosses Runway 26 centerline extended at 3000′. Runway 26, TDZ elevation, 3253′.

Procedure turn N side of crs, 103° Outbnd, 283° Inbnd, 4700′ within 10 miles of 11-mile DME Fix.
FAF, 11-mile DME R 103°. Final approach crs, 283°. Distance FAF to MAP, 6.4 miles.
Minimum altitude over 11-mile DME R 103°, 4700′.
MSA: 000°–090°—4600′; 090°–270°—5200′; 270°–360°—5000′.
NOTE: ASR.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-26	3660	1	407	3660	1	407	3660	1	407	3660	1	407
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	3700	1	431	3720	1	451	3720	1½	451	3820	2	551
A	Standard.		T 2-eng. or less—Standard.				T over 2-eng.—Standard.					

City, Lubbock; State, Tex.; Airport name, West Texas Air Terminal of Lubbock; Elev., 3269′; Facility, LBB; Procedure No. VOR/DME Runway 26, Amdt. 1; Eff. date, 25 Sept. 69; Sup. Amdt. No. VOR/DME No. 3, Orig.; Dated, 3 July 65

11. By amending § 97.23 of Subpart C to amend very high frequency omnirange (VOR) and very high frequency-distance measuring equipment (VOR/DME) procedures as follows:

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE VOR

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL, except HAT, HAA, and RA. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles or hundreds of feet RVR.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instruction approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator. Initial approach minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 4 miles after passing Nason Int.
ENL VORTAC	VNN VOR	Direct	2100	Climb to 2100′ direct to VNN VOR.
Cartter Int	VNN VOR	Direct	2100	Supplementary charting information:
SAM VOR	VNN VOR	Direct	2300	Final approach course crosses threshold Runway 5.
EVV VORTAC	VNN VOR	Direct	2300	
MWA VOR	VNN VOR	Direct	2400	Runway 5, TDZ elevation, 469′.
MWA VOR	Waltonville Int	V-179	2400	
Waltonville Int	Nason Int (NOPT)	Direct	1700	

Procedure turn E side of crs, 223° Outbnd, 043° Inbnd, 2100′ within 10 miles of Nason Int.
FAF, Nason Int. Final approach crs, 043°. Distance FAF to MAP, 4 miles.
Minimum altitude over Nason Int, 1700′.
MSA: 180°–270°—2400′; 270°–180°—2100′.
NOTE: Use Vandalia, Ill., altimeter setting when control zone not effective.
$Dual VOR receivers required.
*Circling and straight-in MDA increased 200′ when control zone not effective except operators with approved weather reporting service.
#Alternate minimums not authorized when control zone not effective except operators with approved weather reporting service.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-5$*	980	1	511	980	1	511	980	1	511	980	1¼	511
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C$*	980	1	500	980	1	500	980	1½	500	1040	2	560
A	Standard.#		T 2-eng. or less—Standard.				T over 2-eng.—Standard.					

City, Mount Vernon; State, Ill.; Airport name, Mount Vernon-Outland; Elev., 480′; Facility, VNN; Procedure No. VOR Runway 5, Amdt. 1; Eff. date, 25 Sept. 69; Sup. Amdt. No. Orig.; Dated, 29 May 69

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 5 miles after passing ILM VORTAC.
R 276°, ILM VORTAC CW	ILM R 021°	8-mile DME Arc	1600	Climb to 1700′ on R 201° within 15 miles of ILM VORTAC; or, when directed by ATC, left turn climb to 1700′ direct to LOM and hold.
R 047°, ILM VORTAC CCW	ILS R 021°	8-mile DME Arc	1600	
Hilda Int	ILM VORTAC (NOPT)	ILM R 356°	1500	
Scott Int	ILM VORTAC (NOPT)	ILM R 018°	1500	
Davis Int	ILM VORTAC (NOPT)	ILM R 047°	1500	Supplementary charting information:
8-mile Arc	ILM VORTAC (NOPT)	ILM R 021°	1500	Hold SE, 1 minute, right turns, 343° Inbnd. Final approach crs to center of airport. HIRLS Runways 16/34.

Procedure turn W side of crs, 021° Outbnd, 201° Inbnd, 1500′ within 10 miles of ILM VORTAC.
FAF, ILM VORTAC. Final approach crs, 201°. Distance FAF to MAP, 5 miles.
Minimum altitude over ILM VORTAC, 1500′.
MSA: 000°–090°—1500′; 090°–180°—1700′; 180°–270°—2300′; 270°–360°—2100′.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	540	1	509	540	1	509	540	1½	509	600	2	569
A	Standard.		T 2-eng. or less—RVR 24′, Runway 34; Standard all other runways.				T over 2-eng.—RVR 24′, Runway 34; Standard all other runways.					

City, Wilmington; State, N.C.; Airport name, New Hanover County; Elev., 31′; Facility, ILM; Procedure No. VOR-1, Amdt. 6; Eff. date, 25 Sept. 69; Sup. Amdt. No. 5; Dated, 14 Aug. 69

12. By amending § 97.25 of Subpart C to establish localizer (LOC) and localizer-type directional aid (LDA) procedures as follows:

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE LOC

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL, except HAT, HAA, and RA. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles or hundreds of feet RVR.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator. Initial approach minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 4.8 miles after passing Lynnfield NDB.
Boston VORTAC	Lynnfield NDB	Direct	2000	Climb to 2000′ direct to Milton LOM and hold.
Revere Int	Lynnfield NDB	Direct	1800	Supplementary charting information:
Sandhills Int	Lynnfield NDB	Direct	1800	Hold SW of Milton LOM, 035° Inbnd, 1 minute, right turns.
Danvers Int	Lynnfield NDB (NOPT)	Direct	1500	370′ stack 1 mile SW.
				505′–638′ buildings 1.7 to 1.9 miles W.
				845′ building 3 miles W.
				Runway 22L, TDZ elevation, 16′.

Procedure turn E side of crs, 035° Outbnd, 215° Inbnd, 1800′ within 10 miles of Lynnfield NDB.
FAF, Lynnfield NDB. Final approach crs, 215°. Distance FAF to MAP, 4.8 miles.
Minimum altitude over Lynnfield NDB, 1500′.
MSA: 000°–180°—1600′; 180°–360°—2400′.
NOTES: (1) ASR. (2) Inoperative components table does not apply to HIRLs Runway 22L.
*Reduction of minimums not authorized.
#900–2 for Category C aircraft; 1000–2 for Category D aircraft.
%Left turn to 260° as soon as practicable after takeoff.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
*S–22L	420	1	404	420	1	404	420	1	404	420	1	404
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	680	1	661	680	1	661	820	1¼	801	940	2	921
A	Standard.#		T 2-eng. or less—RVR 24′, Runways 4R and 33L; 600–1 Runway 27; Standard all other runways.%				T over 2-eng.—RVR 24′, Runways 4R and 33L; 600–1 Runway 27; Standard all other runways.%					

City, Boston; State, Mass.; Airport name, General Edward Lawrence Logan International; Elev., 19′; Facility, I–BOS; Procedure No. LOC (BC) Runway 22L, Amdt. 2; Eff. date, 25 Sept. 69; Sup. Amdt. No. 1; Dated, 29 May 69

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 3.3 miles after passing Kedzie/MX LOM.
API VOR	MX LOM	Direct	2300	Climbing left turn to 2300′ and proceed to EON VORTAC via R 001°.
Big Run Int	MX LOM	Direct	2000	Supplementary charting information:
CGT VORTAC	Calumet Int	Direct	2000	MX LOM named Kedzie.
Calumet Int	MX LOM (NOPT)	Direct	1500	Add REIL's to Runway 4R.
				2049′ tower 8.6 miles NE of airport; 776′ tank 1.6 miles SE of airport; 819′ tank 0.6 mile SSW of airport; 963′ stacks 2.3 miles NNE of airport; 807′ stacks 1.5 miles NW of airport; 756′ tank 1 mile NW of airport.
				7:1 drift down applied to 838′ towers at 41°44′15″/87°42′00″.
				Runway 31L, TDZ elevation, 611′.

Procedure turn N side of crs, 132° Outbnd, 312° Inbnd, 2000′ within 10 miles of Kedzie/MX LOM.
FAF, Kedzie/MX LOM. Final approach crs, 312°. Distance FAF to MAP, 3.3 miles.
Minimum altitude over MX LOM, 1500′.
Distance to runway threshold at OM, 3.3 miles; at MM, 0.6 mile.
MSA: 090°–180°—2200′; 180°–270°—2400′; 270°–090°—3100′.
NOTES: (1) ASR. (2) Sliding scale not authorized. (3) Inoperative component table does not apply to HIRL and REIL's Runway 31L. (4) Final approach from holding pattern at MX LOM not authorized; procedure turn required. (5) Back crs unusable.
CAUTION: Tall buildings and towers to 2049′ at 8 miles NE. Plan departure to avoid this area.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S–31L	1040	1	429	1040	1	429	1040	1	429	1040	1	429
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	1120	1	501	1120	1	501	1120	1½	501	1180	1	561
A	Standard.		T 2-eng. or less—200—RVR 24′, Runways 13R; 200–1 all others.				T over 2-eng.—200—RVR 24′, Runway 13R; 200–½ all others.					

City, Chicago; State, Ill.; Airport name, Chicago-Midway; Elev., 619′; Facility, T–MXT; Procedure No. LOC Runway 31L, Amdt. Orig.; Eff. date, 25 Sept. 69

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE LOC—Continued

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 5.3 miles after passing Globe Marker BCN.
LBB VORTAC	Globe Marker BCN	Direct Mackenzie Int and LOC (BC).	5100	Climb to 5000′ on LOC Crs 349° within 20 miles; or, turn right, climb to 5000′ on LBB VORTAC R 114° within 20 miles.
V-76-N	Globe Marker BCN (NOPT)	LOC (BC)	4800	
R 251°, LBB VORTAC CCW	LBB LOC (BC)	16-mile Arc LBB, R 161° lead radial.	5000	Supplementary charting information:
16-mile Arc	Globe Marker BCN (NOPT)	LOC (BC)	4800	Delete from AL plate 3417′ tower 1.3 miles NE of airport—tower nonexistent. Runway 35L, TDZ elevation, 3250′.

Procedure turn E side of crs, 169° Outbnd, 349° Inbnd, 5100′ within 10 miles of Globe Marker BCN.
FAF, Globe Marker BCN. Final approach crs, 349°. Distance FAF to MAP, 5.3 miles.
Minimum altitude over Globe Marker BCN, 4800′; over Mackenzie Int, 3780′.
NOTE: ASR.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-35L	3780	1	530	3780	1	530	3780	1	530	3780	1¼	530
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	3780	1	511	3780	1	511	3780	1½	511	3820	2	551
	LOC/VOR Minimums:											
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-35L	3540	¾	290	3540	¾	290	3540	¾	290	3540	1	290
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	3700	1	431	3720	1	451	3720	1½	451	3820	2	551
A	Standard.		T 2-eng. or less—Standard.				T over 2-eng.—Standard.					

City, Lubbock; State, Tex.; Airport name, West Texas Air Terminal of Lubbock; Elev., 3269′; Facility, I-LBB; Procedure No. LOC (BC) Runway 35L, Amdt. 5; Eff. date, 25 Sept. 69; Sup. Amdt. No. ILS-35L (BC), Amdt. 4; Dated, 3 July 65

13. By amending § 97.25 of Subpart C to cancel localizer (LOC) and localizer-type directional aid (LDA) procedures as follows:

Kansas City, Mo.—Kansas City International, LOC (BC) Runway 18, Amdt. 6, 1 May 1969, canceled, effective 25 Sept. 1969.

14. By amending § 97.27 of Subpart C to establish nondirectional beacon (automatic direction finder) (NDB/ADF) procedures as follows:

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE NDB (ADF)

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL, except HAT, HAA, and RA. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles or hundreds of feet RVR.
If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator. Initial approach minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 5.3 miles after passing Milton LOM.
Boston VORTAC	Milton LOM	Direct	2000	Climb to 2000′ direct Beverly NDB and hold.
Millis Int	Milton LOM (NOPT)	Via 085° MH from Millis Int. and 215° bearing from Milton LOM.	1900	Supplementary charting information:
Acton Int	Milton LOM	Direct	2300	Hold NW of Beverly NDB, 1 minute, left turns, 153° Inbnd.
Whitman VORTAC	Milton LOM (NOPT)	Via HTM R 355° and 215° bearing from Milton LOM.	1900	370′ stack 1 mile SW; 505′-638′ buildings 1.7 to 1.9 miles W; 845′ building 3 miles W. Runway 4R, TDZ elevation, 16′.

Procedure turn E side of crs, 215° Outbnd, 035° Inbnd, 2000′ within 10 miles of Milton LOM.
FAF, Milton LOM. Final approach crs, 035°. Distance FAF to MAP, 5.3 miles.
Minimum altitude over Milton LOM, 1900′.
MSA: 000°–180°—1900′, 180°–360°—2400′.
NOTES: (1) ASR. (2) Displaced threshold lights 2508′ from end of Runway 4R; nonstandard ALS Runway 4R.
*Reduction of minimums not authorized.
#600-2 for Category C aircraft; 1000-2 for Category D aircraft.
%Left turn to 260° as soon as practicable after takeoff.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-4R*	680	RVR 40	664	680	RVR 40	664	680	RVR 50	664	680	1½	664
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	680	1	661	680	1	661	820	1½	801	940	2	921
A	Standard.#		T 2-eng. or less—RVR 24′, Runways 4R and 33L;% 600-1, Runway 27; Standard all other runways.				T over 2-eng.—RVR 24′, Runways 4R and 33L;% 600-1, Runway 27; Standard all other runways.					

City, Boston; State, Mass.; Airport name, General Edward Lawrence Logan International; Elev., 19′; Facility, BO; Procedure No. NDB (ADF) Runway 4R, Amdt. 15; Eff. date, 25 Sept. 69; Sup. Amdt. No. ADF 1, Amdt. 14; Dated, 22 Jan. 66

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE NDB (ADF)—Continued

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 4.8 miles after passing Lynnfield NDB.
Boston VORTAC	Lynnfield NDB	Direct	2000	Climb to 2000' direct to Milton LOM and hold.
Revere Int	Lynnfield NDB	Direct	1800	Supplementary charting information:
Sandhills Int	Lynnfield NDB	Direct	1800	Hold SW of Milton LOM, 1 minute, right turns, 035° Inbnd.
Danvers Int	Lynnfield NDB (NOPT)	Direct	1500	370' stack 1 mile SW; 505'-638' buildings 1.7 to 1.9 miles W; 845' building 3 miles W. Runway 22L, TDZ elevation, 16'.
Bedford NDB	Lynnfield NDB	Direct	1800	

Procedure turn E side of crs, 035° Outbnd, 215° Inbnd, 1800' within 10 miles of Lynnfield NDB.
FAF, Lynnfield NDB. Final approach crs, 215°. Distance FAF to MAP, 4.8 miles.
Minimum altitude over Lynnfield NDB, 1500'.
MSA: 000°-180°—1600'; 180°-360°—2400'.
NOTE: ASR.
*Reduction of minimums not authorized.
#900-2 for Category C aircraft; 1000-2 for Category D aircraft.
%Left turn to 260° as soon as practicable after takeoff.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-22L*	600	1	584	600	1	584	600	1	584	600	1¼	584
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	680	1	661	680	1	661	820	1½	801	940	2	921
A	Standard. #			T 2-eng. or less—RVR 24', Runways 4R and 33L; %600-1, Runway 27; Standard all other runways.			T over 2-eng.—RVR 24', Runways 4R and 33L; %600-1, Runway 27; Standard all other runways.					

City, Boston; State, Mass.; Airport name, General Edward Lawrence Logan International; Elev., 19'; Facility, SEW; Procedure No. NDB (ADF) Runway 22L, Amdt. 1; Eff. date, 25 Sept. 69; Sup. Amdt. No. Orig.; Dated, 29 May 69

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 4.4 miles after passing Hull LOM.
Boston VORTAC	Hull LOM	Direct	1500	Make right-climbing turn to 2000' direct
Revere Int	Hull LOM	Direct	1500	Beverly NDB and hold.
Sandhills Int	Hull LOM (NOPT)	Direct	1500	Supplementary charting information:
Whitman VORTAC	Nantasket Int	Direct	2000	Hold NW of Beverly NDB, 1 minute, left
Nantasket Int	Hull LOM (NOPT)	Direct	1500	turns, 153° Inbnd.
				370' stack 1 mile SW; 505'-638' buildings 1.7 to 1.9 miles W; 845' building 3 miles W. Runway 33L, TDZ elevation, 16'.

Procedure turn E side of crs, 150° Outbnd, 330° Inbnd, 1500' within 10 miles of Hull LOM.
FAF, Hull LOM. Final approach crs, 330°. Distance FAF to MAP, 4.4 miles.
Minimum altitude over Hull LOM, 1500'.
MSA: 000°-090°—1700'; 090°-180°—1600'; 180°-360°—2400'.

NOTE: ASR.
*Reduction of minimums not authorized.
#900-2 for Category C aircraft; 1000-2 for Category D aircraft.
%Left turn to 260° as soon as practicable after takeoff.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-33L*	520	RVR 40	504	520	RVR 40	504	520	RVR 40	504	520	RVR 60	504
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	680	1	661	680	1	661	820	1½	801	940	2	921
A	Standard.#			T 2-eng. or less—RVR 24', Runways 4R and 33L;%600-1, Runway 27; Standard all other runways.			T over 2-eng.—RVR 24', Runways 4R and 33L;%600-1, Runway 27; Standard all other runways.					

City, Boston; State, Mass.; Airport name, General Edward Lawrence Logan International; Elev., 19'; Facility, LI; Procedure No. NDB (ADF) Runway 33L, Amdt. 4; Eff. date, 25 Sept. 69; Sup. Amdt. No. ADF 3, Amdt. 3; Dated, 6 Feb. 69

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE NDB (ADF)—Continued

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 5 miles after passing Hines/MD LOM.
API VOR	MD LOM	Direct	2500	Right turn to 2300′ and proceed to EON VORTAC via EON R 001°.
Big Run Int	MD LOM	Direct	2500	Supplementary charting information: MD LOM named Hines.
MX LOM	MD LOM	Direct	2500	2049′ tower 8.6 miles NE of airport; 776′ tank 1.6 miles SE of airport; 819′ stacks 0.6 mile SSW of airport; 968′ stacks 2.3 miles NNE of airport; 807′ stacks 1.5 miles NW of airport; 756′ tank 1 mile NW of airport. Runway 13R, TDZ elevation. 610′.

Procedure turn W side of crs, 312° Outbnd, 132° Inbnd, 2500′ within 10 miles of Hines/MD LOM.
FAF, Hines/MD LOM. Final approach crs, 132°. Distance FAF to MAP, 5 miles.
Minimum altitude over Hines/MD LOM, 2300′.
MSA: 000°–180°—3100′; 180°–270°—2400′; 270°–360°—2600′.
NOTES: (1) ASR. (2) Inoperative component table does not apply to ALS Runway 13R. (3) Air carrier reduction for ALS not authorized. (4) Sliding scale not authorized.
CAUTION: Tall buildings and towers to 2049′, 8 miles NE. Plan departure to avoid this area.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-13R	1120	1	510	1120	1	510	1120	1	510	1120	1	510
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	1120	1	501	1120	1	501	1120	1½	501	1180	2	561
A	Standard.			T 2-eng. or less—200—RVR 24′, Runway 13R; 200-1 all others.			T over 2-eng.—200—RVR 24′, Runway 13R; 200-½ all others.					

City, Chicago; State, Ill.; Airport name, Chicago-Midway; Elev., 619′; Facility, MD; Procedure No. NDB (ADF) Runway 13R, Amdt. Orig.; Eff. date, 25 Sept. 69

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 3.3 miles after passing Kedzie/MX LOM.
API VOR	MX LOM	Direct	2300	Climbing left to turn 2300′ and proceed to EON VORTAC via R 001°.
Big Run Int	MX LOM	Direct	2000	Supplementary charting information: MX LOM named Kedzie. Add REIL's to Runway 4R. 2049′ tower 8.6 miles NE of airport; 776′ tank 1.6 miles SE of airport; 819′ stack 0.6 miles SSW of airport; 968′ stacks 2.3 miles NNE of airport; 807′ stacks 1.5 miles NW of airport; 756′ tank 1 mile NW of airport. 7:1 drift down applied to 838′ towers at 41°44′15″/87°42′00″. Runway 31L. TDZ elevation. 611′.
CGT VORTAC	Calumet Int	Direct	2000	
Calumet Int	MX LOM (NOPT)	Direct	1500	

Procedure turn N side of crs, 132° Outbnd, 312° Inbnd, 2000′ within 10 miles of Kedzie/MD LOM.
FAF, Kedzie/MX LOM. Final approach crs, 312°. Distance FAF to MAP, 3.3 miles.
Minimum altitude over MX LOM, 1500′.
MSA: 090°–180°—2200′; 180°–270°—2400′; 270°–090°—3100′.
NOTES: (1) ASR. (2) Sliding scale not authorized. (3) Final approach from holding pattern at MX LOM not authorized; procedure turn required.
CAUTION: Tall buildings and towers to 2049′ at 8 miles NE. Plan departure to avoid this area.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-31L	1120	1	509	1120	1	509	1120	1	509	1120	1	509
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	1120	1	501	1120	1	501	1120	1½	501	1180	2	561
A	Standard.			T 2-eng. or less—200—RVR 24′ Runway 13R; 200-1 all others.			T over 2-eng.—200—RVR 24′ Runway 13R; 200-½ all others.					

City, Chicago; State, Ill.; Airport name, Chicago-Midway; Elev., 619′; Facility, MX; Procedure No. NDB (ADF) Runway 31L, Amdt. Orig.; Eff. date, 25 Feb. 69

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE NDB (ADF)—Continued

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 3.6 miles after passing OM.
Willow DME Fix	Mack Int	Via 111° Bearing NDB	12,000	Right climbing turn to 8000' direct to GJT NDB and hold;* or, when directed by ATC, climb straight ahead to 5700', right climbing turn to 10,000' to GJT VOR.
Mack Int	Loma Int	Direct	8300	
GJT R 151°, CW	GJT R 232°	14-mile DME Arc	11,200	
GJT R 232°, CW	GJT R 341°	14-mile DME Arc	8000	
Loma Int	GJT NDB (NOPT)	Direct	7800	Supplementary charting information:
GJT VOR	GJT NDB	Direct	8600	*Hold SW, 052° Inbnd, left turns, 1 minute.
Sharp Int	GJT NDB	Direct	8000	REIL Runways 11/29.
Salt Creek Int	GJT NDB	Direct	8000	CAUTION: High terrain all quadrants. Runway 11, TDZ elevation, 4849'.

Procedure turn S side of crs, 290° Outbnd, 110° Inbnd, 7800' within 10 miles of GJT NDB.
FAF, OM. Final approach crs, 110°. Distance FAF to MAP, 3.6 miles.
Minimum altitude over GJT NDB, 7800'; over OM, 6000'.
MSA: 000°-180°—11,500'; 180°-270°—10,700'; 270°-360°—10,100'.
NOTE: Radar vectoring.
%IFR departure procedures: All departures must comply with published Grand Junction SID's.
#Air carrier reduction not authorized Runway 4.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-11	5400	1	551	5400	1	551	5400	1	551	5400	1¼	551
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	5400	1	543	5400	1	543	5420	1½	563	5500	2	643
A	Standard.			T 2-eng. or less—1000-3 required Runway 4; Standard all others.%#			T over 2-eng.—1000-3 required Runway 4; Standard all others.%#					

City, Grand Junction; State, Colo.; Airport name, Walker Field; Elev., 4857'; Facility, GJT; Procedure No. NDB (ADF) Runway 11, Amdt. 5; Eff. date, 25 Sept. 69; Sup. Amdt. No. ADF 1, Amdt. 4; Dated, 24 Sept. 66

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 3.8 miles after passing LB LOM.
LBB VORTAC	LB LOM	Direct	4600	Climb to 5100' on bearing 169° from LB LOM within 15 miles; or, turn left, climb to 5000' on LBB VORTAC R 114° within 20 miles.
Int LBB R 114°, and bearing 169° from LB LOM.	LB LOM	Direct	4600	
Int PVW VOR R 184°, and bearing 349° from LB LOM.	LB LOM (NOPT)	Direct	4600	Supplementary charting information: Delete from AL plate 3417' tower 1.3 miles NE of airport—tower, nonexistent. Runway 17R, TDZ elevation, 3269'.

Procedure turn E side of crs, 349° Outbnd, 169° Inbnd, 4600' within 10 miles of LB LOM.
FAF, LB LOM. Final approach crs, 169°. Distance FAF to MAP, 3.8 miles.
Minimum altitude over LB LOM, 4600'.
MSA: 000°-090°—4600'; 090°-270°—5200'; 270°-360°—4900'.
NOTE: ASR.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-17R	3640	¾	371	3640	¾	371	3640	¾	371	3640	1	371
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	3700	1	431	3720	1	451	3720	1½	451	3820	2	551
A	Standard.			T 2-eng. or less—Standard.			T over 2-eng.—Standard.					

City, Lubbock; State, Tex.; Airport name, West Texas Air Terminal of Lubbock; Elev., 3269'; Facility, LB; Procedure No. NDB (ADF) Runway 17R, Amdt. 10; Eff. date, 25 Sept. 69; Sup. Amdt. No. ADF 1, Amdt. 9; Dated, 3 July 65

15. By amending § 97.27 of Subpart C to amend nondirectional beacon (automatic direction finder) (NDB/ADF) procedures as follows:

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE NDB (ADF)

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL, except HAT, HAA, and RA. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles or hundreds of feet RVR.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator. Initial approach minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 3.4 miles after passing BDG NDB.
Dove Creek VOR	Blanding NDB	Direct	8500	Climbing right turn to 7500' direct BDG NDB and hold.* Supplementary charting information: *Hold S, 1 minute, right turns, 353° Inbnd. LRCO—DVC, 122.1. Runway 35, TDZ elevation, 5815'.

Procedure turn E side of crs, 173° Outbnd, 353° Inbnd, 7500' within 10 miles of BDG NDB.
FAF, BDG NDB. Final approach crs, 353°. Distance FAF to MAP, 3.4 miles.
Minimum altitude over BDG NDB, 6600'.
MSA: 030°–210°—8000'; 210°–300°—10,100'; 300°–030°—12,400'.
NOTES: (1) Final approach from holding pattern not authorized; procedure turn required. (2) Use Cortez, Colo., altimeter setting, except operators with approved weather reporting service. (3) Approach not authorized when R-6410 is active, or Cortez, Colo., altimeter setting not available.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-35	6400	1	585	6400	1	585	6400	1	585	6400	1¼	585
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	6560	1	695	6580	1	715	6600	1½	735	6600	2	735
A	Not authorized.			T 2-eng. or less—Standard.				T over 2-eng.—Standard.				

City, Blanding; State, Utah; Airport name, Blanding Municipal; Elev., 5865'; Facility, BDG; Procedure No. NDB (ADF) Runway 35, Amdt. 1; Eff. date, 25 Sept. 69; Sup. Amdt. No. Orig.; Dated, 14 Aug. 69

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 0 mile after passing CFV NDB.
Liberty Int	CFV NDB	Direct	2400	Climbing right turn to 2400' on bearing 155° CFV NDB within 10 miles, left turn to CFV NDB.
Tyro Int	CFV NDB	Direct	2400	
IDP NDB	CFV NDB	Direct	2400	
OSW VOR	CFV NDB	Direct	2400	Supplementary charting information: Final approach crs intercepts runway centerline 3475' from threshold. Tower 3.4 miles SW of airport 1290'.

Procedure turn E side of crs, 155° Outbnd, 335° Inbnd, 2400' within 10 miles of CFV NDB.
Final approach crs, 335°.
MSA: 090°–090°—2400'; 090°–270°—2300'; 270°–360°—2600'.
NOTE: Use Chanute, Kans., altimeter setting.
%IFR departure procedures: When weather is below 600–2, plan flight to avoid 1290' tower before departing SW.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	VIS
S-35	1360	1	609	1360	1	609	1360	1	609	NA
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	
C	1360	1	609	1360	1	609	1360	1½	609	NA
A	Not authorized.			T 2-eng. or less—Standard.%				T over 2-eng.—Standard.%		

City, Coffeyville; State, Kans.; Airport name, Coffeyville Municipal; Elev., 751'; Facility, CFV; Procedure No. NDB (ADF) Runway 35, Amdt. 1; Eff. date, 25 Sept. 69; Sup. Amdt. No. Orig.; Dated, 29 Feb. 68

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE NDB (ADF)—Continued

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: 2.6 miles after passing RMG NDB.
Dalton Int	RMG NDB	Direct	3500	Climbing right turn to 3000' direct to RMG NDB and hold.
Kennesaw Int	RMG NDB	Direct	3500	
RMG VOR	RMG NDB (NOPT)	Direct	1700	Supplementary charting information: Hold S, 1 minute, right turns, 344° Inbnd. LRCO 122.2, 123.6.

Procedure turn W side of crs, 164° Outbnd, 344° Inbnd, 3000' within 10 miles of RMG NDB.
FAF, RMG NDB. Final approach crs, 004°. Distance FAF to MAP, 2.6 miles.
Minimum altitude over RMG NDB, 1700'.
MSA: 000°–180°—3900'; 180°–270°—3600'; 270°–360°—4000'.
#Alternate minimums authorized only for operators with approved weather reporting service.
*Night minimums not authorized on Runways 7–25, 13–31.
CAUTION: Unlighted trees and terrain 1182', 1½ mile WNW of airport.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	VIS
C*	1360	1	716	1360	1	716	1500	1½	856	NA
A	Standard.#		T 2-eng. or less—Standard.				T over 2-eng.—Standard.			

City, Rome; State, Ga.; Airport name, Russell Field; Elev., 644'; Facility RMG; Procedure No. NDB(ADF) Runway 36, Amdt. 4; Eff. date, 25 Sept. 69; Sup. Amdt. No. NDB (ADF)-1, Amdt. 3; Dated, 24 July 69

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: MWM NDB.
OTG VOR	MWM NDB	Direct	3000	Climb to 3000' on 167° bearing from NDB within 10 miles, return to NDB.
RWF VOR	MWM NDB	Direct	3000	
FRM VOR	MWM NDB	Direct	3000	Supplementary charting information: Final approach intercepts runway centerline 1140' from threshold. Runway 17, TDZ elevation, 1407'.

Procedure turn W side of crs, 347° Outbnd, 167° Inbnd, 3000' within 10 miles of MWM NDB.
Final approach crs, 167°.
MSA: 000°–360°—2800'.

NOTES: (1) Use Redwood Falls, Minn., altimeter setting except for operators with approved weather reporting service. (2) Operators with approved weather reporting service may reduce all MDA's by 160'.
*Standard alternate minimums for operators with approved weather reporting service.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	VIS
S-17	2020	1	613	2020	1	613	2020	1	613	NA
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	
C	2020	1	611	2020	1	611	2020	1½	611	NA
A	Not authorized.*		T 2-eng. or less—Standard.				T over 2-eng.—Standard.			

City, Windom; State, Minn.; Airport name, Windom Municipal; Elev., 1409'; Facility, MWM; Procedure No. NDB (ADF) Runway 17, Amdt. 1; Eff. date, 25 Sept. 69; Sup. Amdt. No. NDB (ADF) Runway 35, Orig.; Dated, 26 June 69

16. By amending § 97.29 of Subpart C to establish instrument landing system (ILS) procedures as follows:

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE ILS

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL, except HAT, HAA, and RA. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles or hundreds of feet RVR:

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator. Initial approach minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: ILS DH, 216'; LOC 5.3 miles after passing Milton LOM.
Boston VORTAC	Milton LOM	Direct	2000	Climb to 2000' direct to Danvers Int and hold, or when directed by ATC, make right-climbing turn to 2000' direct to Skipper Int and hold. Hold East Skipper Int, 1 minute, right turns, 279° Inbnd.
Millis Int	Milton LOM (NOPT)	085° from Millis Int and BOS LOC crs.	1900	
Action Int	Milton LOM	Direct	2300	
Whitman VORTAC	Milton LOM (NOPT)	HTM R 355°, and BOS LOC crs.	1900	

Supplementary charting information:
Hold NE of Danvers Int, 1 minute, right turns, 210° Inbnd.
370' stack 1 mile SW.
505'–638' buildings 1.7 to 1.9 miles W.
845' building 3 miles W.
Runway 4R, TDZ elevation, 16'.

Procedure turn E side of crs, 215° Outbnd, 035° Inbnd, 2000' within 10 miles of Milton LOM.
FAF, Milton LOM. Final approach crs, 035°. Distance FAF to MAP, 5.3 miles.
Minimum glide slope interception altitude, 1900'. Glide slope altitude at OM, 1819'; at MM, 268'.
Distance to runway threshold at OM, 5.3 miles; at MM, 0.6 mile.
MSA: 000°–180°—1900'; 180°–360°—2400'.
NOTES: (1) ASR. (2) Displaced threshold lights 2508' and ILS touchdown point approximately 3500' from approach end of Runway 4R. (3) Nonstandard ALS, Runway 4R.
*Reduction of minimums not authorized. Inoperative components table does not apply to ALS. Visibility RVR 50' required.
$ILS: DH 424'/RVR 40' when tower advises of known surface vessels in approach area.
#900–2 for Category C aircraft; 1000–2 for Category D aircraft.
%Left turn to 260° as soon as practicable after takeoff.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	DH	VIS	HAT	DH	VIS	HAT	DH	VIS	HAT	DH	VIS	HAT
S-4R$	216	RVR 24	200	216	RVR 24	200	216	RVR 24	200	216	RVR 24	200
LOC*	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-4R	500	RVR 40	484	500	RVR 40	484	500	RVR 40	484	500	RVR 40	484
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	680	1	661	680	1	661	820	1½	801	940	2	921
A	Standard.#		T 2-eng. or less—RVR 24', Runways 4R and 33L; 600–1, Runway 27; Standard all other runways.%				T over 2-eng.—RVR 24', Runways 4R and 33L; 600–1, Runway 27; Standard all other runways.%					

City, Boston; State, Mass.; Airport name, General Edward Lawrence Logan International; Elev., 19'; Facility, I-BOS; Procedure No. ILS Runway 4R, Amdt. 18; Eff. date, 25 Sept. 69; Sup. Amdt. No. ILS-4R, Amdt. 17; Dated 19 Nov. 69

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE ILS—Continued

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: ILS DH, 216'; LOC 4.4 miles after passing Hull LOM.
Boston VORTAC	Hull LOM	Direct	1500	Make right-climbing turn to 2000', direct to Danvers Int and hold, or when directed by ATC, make right-climbing turn to 2000' direct to Skipper Int and hold. Hold E Skipper Int, 1 minute, right turns, 279° Inbnd.
Revere Int	Hull LOM	Direct	1500	
Sandhills Int	Hull LOM (NOPT)	Direct	1500	
Whitman VORTAC	Nantasket Int	Direct	2000	
Nantasket Int	Hull LOM (NOPT)	Direct	1500	

Supplementary charting information:
Hold NE of Danvers Int, 1 minute, right turns, 210° Inbnd.
370' stack 1 mile SW.
505'-638' buildings 1.7 to 1.9 miles W.
845' building 3 miles W.
Runway 33L, TDZ elevation, 16'.

Procedure turn E side of crs, 150° Outbnd, 330° Inbnd, 1500' within 10 miles of Hull LOM.
FAF, Hull LOM. Final approach crs, 330°. Distance FAF to MAP, 4.4 miles.
Minimum glide slope interception altitude, 1500'. Glide slope altitude at OM, 1457'; at MM, 217'.
Distance to runway threshold at OM, 4.4 miles; at MM, 0.5 mile.
MSA: 000°-090°—1700'; 090°-180°—1600'; 180°-360°—2400'.
NOTES: (1) ASR. (2) Glide slope unusable below 216'.
SILS: DH 419'/40; MDA 460'/40 when tower advised of known surface vessels in approach area.
#900-2 for Category C aircraft; 1000-2 for Category D aircraft.
*Reduction of minimums not authorized. Inoperative components table does not apply to ALS Runway 33L. RVR 50' required.
%Left turn to 260° as soon as practicable after takeoff.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	DH	VIS	HAT	DH	VIS	HAT	DH	VIS	HAT	DH	VIS	HAT
S-33LS	216	RVR 24	200	216	RVR 24	200	216	RVR 24	200	216	RVR 24	200
LOC:S*	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-33L	350	RVR 40	334	350	RVR 40	334	350	RVR 40	334	350	RVR 40	334
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	680	1	661	680	1	661	820	1¼	801	940	2	921
A	Standard.#			T 2-eng. or less—a RVR 24'. Runways 4R and 33L; 600-1, Runway 27; Standard all other runways.%			T over 2-eng.—RVR 24'. Runways 4R and 33L; 600-1, Runway 27; Standard all other runways.%					

City, Boston; State, Mass.; Airport name, General Edward Lawrence Logan International; Elev., 19'; Facility, I-LIP; Procedure No. ILS Runway 33L, Amdt. 6; Eff. date, 25 Sept. 69; Sup. Amdt. No. ILS-33L, Amdt. 5; Dated, 6 Feb. 69

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: ILS DH, 868'; LOC 5 miles after passing Hines/MD LOM.
MX LOM	MD LOM	Direct	2500	Make right turn, climb to 2300' and proceed to EON VORTAC via R 001°.
API VOR	MD LOM	Direct	2500	

Supplementary charting information:
MD LOM named Hines.
Add REIL's to Runway 4R.
2049' tower 8.6 miles NE of airport; 776' tank 1.6 miles SE of airport; 819' stacks 0.6 mile SSW of airport; 968' stacks 2.3 miles NNE of airport; 807' stacks 1.5 miles NW of airport; 756' tank 1 mile NW of airport.
Runway 13R, TDZ elevation 610'.

Procedure turn W side of crs, 312° Outbnd, 132° Inbnd, 2500' within 10 miles of MD LOM.
FAF, Hines/MD LOM. Final approach crs, 132°. Distance FAF to MAP, 5 miles.
Minimum altitude over Hines/MD LOM, 2300'.
Minimum glide slope interception altitude, 2300'. Glide slope altitude at OM, 2255'; at MM, 868'.
Distance to runway threshold at OM, 5 miles; at MM, 0.6 mile.
MSA: 000°-180°—3100'; 180°-270°—2400'; 270°-360°—2600'.
CAUTION: Tall buildings and towers to 2049', 8 miles NE; plan departure to avoid this area.
NOTES: (1) ASR. (2) Inoperative component table does not apply to ALS and HIRL on Runway 13R. (3) Sliding scale not authorized. (4) Air carrier reduction for ALS not authorized. (5) Glide slope unusable below 868' MSL. (6) Back crs unusable.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	DH	VIS	HAT	DH	VIS	HAT	DH	VIS	HAT	DH	VIS	HAT
S-13R	868	¾	258	868	¾	258	868	¾	258	868	¾	258
LOC	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-13R	1060	1	450	1060	1	450	1060	1	450	1060	1	450
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	1120	1	501	1120	1	501	1120	1¼	501	1180	2	561
A	Standard.			T 2-eng. or less—200—RVR 24' Runway 13R; 200-1 all others.			T over 2-eng.—200—RVR 24' Runway 13R; 200-½ all others.					

City, Chicago; State, Ill.; Airport name, Chicago-Midway; Elev., 619'; Facility I-MDW; Procedure No. ILS Runway 13R, Amdt. 26; Eff. date, 25 Sept. 69; Sup. Amdt. No. 25; Dated, 15 Aug. 68

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE ILS—Continued

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: ILS DH, 5132'; LOC 3.6 miles after passing OM.
Willow DME Fix	Mack Int	LOC crs	12,000	Climb straight ahead to 5400', right-climbing turn to GJT NDB at 8000' and hold;* or, when directed by ATC, climb straight ahead to 5400', then right-climbing turn to 10,000' direct to GJT VOR.
Mack Int	Loma Int	LOC crs	8300	
GJT R 151°, CW	GJT R 232°	14-mile DME Arc	11,200	
GJT R 232°, CW	GJT R 341°	14-mile DME Arc	8000	
Loma Int	GJT NDB (NOPT)	Direct	7800	
Sharp Int	GJT NDB	Direct	8000	
Salt Creek Int	GJT NDB	Direct	8000	
GJT VOR	GJT NDB	Direct	8000	

Supplementary charting information:
*Hold NW, 110° Inbnd, right turns, 1 minute.
REIL Runways 11/29.
CAUTION: High terrain all quadrants.
Runway 11, TDZ elevation, 4849'.

Procedure turn S side of crs, 290° Outbnd, 110° Inbnd, 7800' within 10 miles of GJT NDB.
FAF, OM. Final approach crs, 110°. Distance FAF to MAP, 3.6 miles.
Minimum altitude over OM, 5943'.
Minimum glide slope interception altitude, 7800'. Glide slope altitude at OM, 5943'; at MM, 5063'.
Distance to runway threshold at OM, 3.6 miles; at MM, 0.6 mile.
MSA: 000°–180°—11,500'; 180°–270°—10,700'; 270°–360°—10,100'.
NOTES: (1) Radar vectoring. (2) Glide slope unusable below 5132' MSL.
% IFR departure procedures: All departures must comply with published Grand Junction SID's.
$Inoperative table does not apply to HIRL or REIL Runway 11.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	DH	VIS	HAT	DH	VIS	HAT	DH	VIS	HAT	DH	VIS	HAT
S-11	5132	¾	283	5132	¾	283	5132	¾	283	5132	¾	283
LOC:	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-11$	5180	1	331	5180	1	331	5180	1	331	5180	1	331
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	5360	1	503	5380	1	523	5420	1½	563	5500	2	643
A	Standard.		T 2-eng. or less—1000-3 required Runway 4; standard all others.%				T over 2-eng.—1000-3 required Runway 4; standard all others.%					

City, Grand Junction; State, Colo.; Airport name, Walker Field; Elev., 4857'; Facility, I-GJT; Procedure No. ILS Runway 11, Amdt. 21; Eff. date, 25 Sept. 69; Sup. Amdt. No. ILS-11, Amdt. 20; Dated, 24 Sept. 66

Terminal routes				Missed approach
From—	To—	Via	Minimum altitudes (feet)	MAP: ILS DH, 3469'; LOC 3.8 miles after passing LB LOM.
LBB VORTAC	LB LOM	Direct	4600	Climb to 5100' on LOC (BC) 169° within 20 miles; or, turn left, climb to 5000' on LBB VORTAC R 114° within 20 miles.
Int LBB R 114°, and LBB LOC	LB LOM	Direct	4600	
Int PVW VOR R 184°, and ILS (FC)	LB LOM (NOPT)	Direct	4600	

Supplementary charting information:
Delete from AL plate 3417' tower 1.3 miles NE of airport—tower nonexistent.
Runway 17R, TDZ elevation, 3269'.

Procedure turn E side of crs, 349° Outbnd, 169° Inbnd, 4600' within 10 miles of LB LOM.
FAF, LB LOM. Final approach crs, 169°. Distance FAF to MAP, 3.8 miles.
Minimum glide slope interception altitude, 4600'. Glide slope altitude at OM, 4500'; at MM, 3499'.
Distance to runway threshold at OM, 3.8 miles; at MM, 0.6 mile.
MSA: 000°–090°—4600'; 090°–270°—5200'; 270°–360°—4900'.
NOTE: ASR.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	DH	VIS	HAT	DH	VIS	HAT	DH	VIS	HAT	DH	VIS	HAT
S-17R	3469	½	200	3469	½	200	3469	½	200	3469	½	200
LOC:	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-17R	3580	½	311	3580	½	311	3580	½	311	3580	¾	311
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	3700	1	431	3720	1	451	3720	1½	451	3820	2	551
A	Standard.		T 2-eng. or less—Standard.				T over 2-eng.—Standard.					

City, Lubbock; State, Tex.; Airport name, West Texas Air Terminal of Lubbock; Elev., 3269'; Facility, I-LBB, Procedure No. ILS Runway 17R, Amdt. 10; Eff. date, 25 Sept. 69; Sup. Amdt. No. ILS-17R, Amdt. 9; Dated, 3 July 65

17. By amending § 97.29 of Subpart C to cancel instrument landing system (ILS) procedures as follows:

Kansas City, Mo.—Kansas City International, ILS Runway 36, Amdt. 6, 1 May 1969, canceled, effective 25 Sept. 1969.

18. By amending § 97.31 of Subpart C to establish precision approach radar (PAR) and airport surveillance radar (ASR) procedures as follows:

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE RADAR

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL, except HAT, HAA, and RA. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles or hundreds of feet RVR.

If a radar instrument approach is conducted at the below named airport, it shall be in accordance with the following instrument procedure, unless an approach is conducted in accordance with a different procedure authorized for such airport by the Administrator. Initial approach minimum altitude(s) shall correspond with those established for en route operation in the particular area or as set forth below. Positive identification must be established with the radar controller. From initial contact with radar to final authorized landing minimums, the instructions of the radar controller are mandatory except when (A) visual contact is established on final approach at or before descent to the authorized landing minimums, or (B) at Pilot's discretion if it appears desirable to discontinue the approach. Except when the radar controller may direct otherwise prior to final approach, a missed approach shall be executed as provided below when (A) communication on final approach is lost for more than 5 seconds during a precision approach, or for more than 30 seconds during a surveillance approach; (B) directed by radar controller; (C) visual contact is not established upon descent to authorized landing minimums; or (D) if landing is not accomplished.

Radar terminal area maneuvering sectors and altitudes (sectors and distances measured from radar antenna)										Notes
From—	To—	Distance	Altitude	Distance	Altitude	Distance	Altitude	Distance	Altitude	Distance	Altitude	
40° CW	260°	50 miles	2500									Standard clearance of 1000′ from 0-3 miles must be provided over: (1) 1349′ antennas, bearing 268°/10 miles from airport. (2) 849′ antenna, bearing 220°/10 miles from airport.
260° CW	340°	50 miles	4000									
065° CW	220°	25 miles	1500									
220° CW	270°	25 miles	2000									
270° CW	295°	25 miles	2100									Reduction of minimums not authorized.
295° CW	065°	25 miles	2000									
340° CW	220°	15 miles	1500									
220° CW	340°	15 miles	1800									

Inoperative components table does not apply to HIRL's on Runways 15R, 22L, 22R, and 27.
Inoperative components table does not apply to ALS Runways 4R and 33L, with ALS inoperative 1 mile required.
Displaced threshold lights 2508′ and ILS touchdown point approximately 3500′ from approach end of Runway 4R. Nonstandard approach lights Runway 4R.
#900-2 for Category C aircraft; 1000-2 for Category D aircraft.
%Left turn to 260° as soon as practicable after takeoff.
MISSED APPROACH:
Runways 22L/R, 15R, and 27, make left climbing turn; Runways 4R, 33L, make right climbing turn—direct Danvers Int and hold; or, when directed by ATC, make climbing turn (as applicable) to 2000′ direct Skipper Int and hold. Hold E Skipper Int, 1 minute, right turns, 279° Inbnd.
Supplementary charting information: Hold NE of Danvers Int, 1 minute, right turns, 210° Inbnd.
TDZ elevations: Runway 4R, 16′; Runway 15R, 15′; Runway 22L, 16′; Runway 22R, 15′; Runway 27, 16′; Runway 33L, 16′.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
	Surveillance Approaches:											
S-4R*	620	RVR 40	604	620	RVR 40	604	620	RVR 40	604	620	RVR 50	604
S-15R	640	1	625	640	1	625	640	1	625	640	1¼	625
S-22L	540	1	524	540	1	524	540	1	524	540	1¼	524
S-22R	540	1	525	540	1	525	540	1	525	540	1¼	525
S-27	460	1	444	460	1	444	460	1	444	460	1	444
S-33L*	460	RVR 40	444	460	RVR 40	444	460	RVR 40	444	460	RVR 40	444
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	680	1	661	680	1	661	820	1½	801	940	2	921
A	Standard.#			T 2-eng. or less—RVR 24′ Runways 4R and 33L; % 600-1 Runway 27; Standard all other Runways.			T over 2-eng.—RVR 24′ Runways 4R and 33L; % 600-1 Runway 27; Standard all other Runways.					

City, Boston; State, Mass.; Airport name, General Edward Lawrence Logan International; Elev., 19′; Facility, Boston Radar; Procedure No. Radar-1, Amdt. 17; Eff. date, 25 Sept. 69; Sup. Amdt. No. Radar 1, Amdt. 16; Dated, 22 Jan. 66

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE RADAR—Continued

Radar terminal area maneuvering sectors and altitudes (sectors and distances measured from radar antenna)										Notes
From—	To—	Distance	Altitude	Distance	Altitude	Distance	Altitude	Distance	Altitude	Distance	Altitude	
As established by Denver ASR Minimum Altitude Vectoring Charts.												1. Descent aircraft to MDA after FAF. 2. Runway 20—FAF 5 miles from threshold. Minimum altitude, 7000'. Approach crs, 200°. TDZ elevation, 5597'. Lost communications: Climb to 7000' direct DEN VOR and hold,* monitor VOR voice. 3. Runway 29R—FAF 5 miles from threshold. Minimum altitude, 7000'. Approach crs, 290°. TDZ elevation, 5595'. Lost communications: Climb to 7000' direct DEN VOR and hold,* monitor VOR voice. 4. Use Denver altimeter setting when control zone not effective.

Missed approach:
Runway 20—Climbing left turn to 7000' direct DEN VOR and hold.*
Runway 29R—Climbing right turn to 7000' direct DEN VOR and hold.*
NOTE: Circling and straight-in MDA increased 50' when control zone not effective.
Supplementary charting information:
*Hold W, 1 minute, left turns, 084° Inbnd.
%IFR departure procedures: Runway 20 left turn direct DEN VOR; Runways 29L/R right turn direct to DEN VOR; Runway 2 direct DEN VOR; Runways 11L/R left turn direct DEN VOR.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-20	5900	1	303	5900	1	303	5900	1	303	5900	1	303
S-29R	6060	1	465	6060	1	465	6060	1	465	6060	1	465
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	6120	1	472	6140	1	492	6140	1½	492	6220	2	572
A	Not authorized.			T 2-eng. or less—Standard.%				T over 2-eng.—Standard.%				

City, Broomfield; State, Colo.; Airport name, Jeffco; Elev., 5648'; Facility, Denver Approach Control; Procedure No. Radar-1, Amdt. Orig.; Eff. date, 25 Sept. 69

Radar terminal area maneuvering sectors and altitudes (sectors and distances measured from radar antenna)										Notes
From—	To—	Distance	Altitude	Distance	Altitude	Distance	Altitude	Distance	Altitude	Distance	Altitude	
As established by Chicago-Midway ASR minimum altitude charts. Radar will provide 1000' vertical clearance within 3-mile radius of the following towers: 2049', 9 miles NE; 1260', 11 miles WNW; 1125', 11 miles NW; 1505', 8 miles NE; 1549', 8 miles NE.												1. Descend aircraft after passing FAF 5 miles from threshold all runways. 2. Runway 18 minimum altitude over 2-mile Fix, 1300'. Supplementary charting information: *TDZ elevation* Runway 4R 617'; Runway 22L 611' Runway 9 618'; Runway 27 614' Runway 13R 610'; Runway 31L 611' Runway 18 611'; Runway 36 615' 2049' tower 8.6 miles NE of airport. 776' tank 1.6 miles SE of airport. 819' stack 0.6 mile SSW of airport. 968' stack 2.3 miles NNE of airport. 807' stack 1.5 miles NW of airport. 756' tank 1 mile NW of airport. 7:1 driftdown applied to 899' MSL. Building (U.C.) at 41°43'30"/87°41'00".

Missed approach:
Runways 4R, 9, and 13R—Make right turn and proceed to EON VORTAC via EON R 001° at 2300'.
Runways 22L, 27, 31L, and 36—Make left turn and proceed to EON VORTAC via EON R 001° at 2300'.
Runway 18—Climb to 2300' and proceed to EON VORTAC via EON R 001°.
NOTE: MTI feature of ground radar equipment required for all surveillance approaches.
Air carrier reduction for ALS not authorized.
Inoperative component table does not apply to ALS Runway 13R.
Inoperative component table does not apply to HIRL Runways 13R and 31L.
Inoperative component table does not apply to REIL's Runways 4R, 22L, and 31L.
Sliding scale not authorized.
CAUTION: Tall buildings and towers to 2049' at 8 miles NE; plan departure to avoid this area.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-4R	1100	1	483	1100	1	483	1100	1	483	1100	1	483
S-9	1100	1	482	1100	1	482	1100	1	482	1100	1	482
S-13R	1060	1	450	1060	1	450	1060	1	450	1060	1	450
S-18	1060	1	449	1060	1	449	1060	1	449	1060	1	449
S-22L	1220	1	609	1220	1	609	1220	1	609	1220	1	609
S-27	1080	1	466	1080	1	466	1080	1	466	1080	1	466
S-31L	1100	1	489	1100	1	489	1100	1	489	1100	1	489
S-36	1120	1	505	1120	1	505	1120	1	505	1120	1	505
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C Runways 4R, 9, 13R, 18, 27, 31L, 36	1120	1	501	1120	1	501	1120	1¼	501	1180	2	561
C Runway 22L	1220	1	601	1220	1	601	1220	1½	601	1220	2	601
A	Standard.			T 2-eng. or less—200—RVR 24', Runway 13R; 200-1 all others.				T over 2-eng.—200—RVR 24', Runway 13R; 200-½ all others.				

City, Chicago; State, Ill.; Airport name, Chicago-Midway; Elev., 619'; Facility, Midway Radar; Procedure No. Radar-1, Amdt. 13; Eff. date, 25 Sept, 69; Sup. Amdt. No. 12; Dated, 15 Aug. 68

STANDARD INSTRUMENT APPROACH PROCEDURE—TYPE RADAR—Continued

Radar terminal area maneuvering sectors and altitudes (sectors and distances measured from radar antenna)										Notes
From—	To—	Distance	Altitude	Distance	Altitude	Distance	Altitude	Distance	Altitude	Distance	Altitude	
000	360	15	4600	30	5000							Descend aircraft after passing FAF. 1. Runway 35L, FAF 6 miles from threshold 5100'. Minimum altitude over 2-mile Radar Fix, 3780'. TDZ elevation, 3250'. 2. Runway 26, FAF 5 miles from threshold 4800'. TDZ elevation, 3253'. 3. Runway 17R, FAF 5 miles from threshold 4800'. TDZ elevation, 3269'. 4. Radar will provide 1000' vertical separation over radio towers 4085' 6.5 miles S of airport.

Missed approach:
Runway 35L—Climb to 5000' on runway heading within 15 miles; or, turn right climb to 5000' on LBB VORTAC R 114°, within 20 miles.
Runway 26—Climb to 4700' on runway heading within 15 miles; or, turn right climb to 4700' direct LBB VORTAC and R 305°, within 15 miles.
Runway 17R—Climb to 5100' on runway heading within 15 miles; or, turn left climb to 5000' on LBB VORTAC R 114°, within 20 miles.

DAY AND NIGHT MINIMUMS

Cond.	A			B			C			D		
	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT	MDA	VIS	HAT
S-35L	3620	1	370	3620	1	370	3620	1	370	3620	1	370
S-26	3660	1	407	3660	1	470	3660	1	407	3660	1	407
S-17R	3620	¾	351	3620	¾	351	3620	¾	351	3620	1	351
	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA	MDA	VIS	HAA
C	3700	1	431	3720	1	451	3720	1¼	451	3820	2	551
A	Standard.			T 2-eng. or less—Standard.			T over 2-eng.—Standard.					

City, Lubbock; State, Tex.; Airport name, West Texas Air Terminal of Lubbock; Elev., 3269'; Facility, LBB Radar; Procedure No. Radar-1, Amdt. 1; Eff. date, 25 Sept. 69; Sup. Amdt. No. Radar 1, Orig.; Dated, 21 May 66

These procedures shall become effective on the dates specified therein.

(Secs. 307(c), 313(a), and 601 of the Federal Aviation Act of 1958; 49 U.S.C. 1348(c), 1354(a), 1421; 72 Stat. 749, 752, 775)

Issued in Washington, D.C., on August 19, 1969.

JAMES F. RUDOLPH,
Director, Flight Standards Service.

[F.R. Doc. 69-10111; Filed, Sept. 2, 1969; 8:45 a.m.]

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

PART 15—ADMINISTRATIVE OPINIONS AND RULINGS

Origin Disclosure of Imported Thread Guides

§ 15.364 Origin disclosure of imported thread guides.

(a) The Commission issued an advisory opinion relative to the disclosure of the foreign origin of imported ceramic textile and thread guides.

(b) The Commission understood that the guides are the size of a dime and that it is difficult, if not impossible to mark the country of origin on each guide during production. Markings after production is completed would be very difficult and very expensive. The guides are not sold to the general public, but are used in industry for the manufacture of other products.

(c) The Commission expressed the view that conspicuously marking on the package or container in which the guides would be shipped to their ultimate user the words "Made in [name of country] exclusively for [name of importer]" would be an adequate disclosure of the country of origin provided the guides were made exclusively for the applicant.

(38 Stat. 717, as amended; 15 U.S.C. 41-58)

Issued: September 2, 1969.

By direction of the Commission.

[SEAL] JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 69-10416; Filed, Sept. 2, 1969; 8:45 a.m.]

PART 15—ADMINISTRATIVE OPINIONS AND RULINGS

Request Denied for Approval To Sell Dairy Company to Any Dairy Company Under Commission Order

§ 15.365 Request denied for approval to sell dairy company to any dairy company under Commission order.

(a) The Commission rendered an advisory opinion denying a request of a medium-sized dairy company for blanket approval to sell to any company under a Commission order.

(b) The company was the largest independent dairy company in its large marketing area, had the largest sales volume of dairy products in the area, had sales in excess of $5 million, was profitable, no other hardships were demonstrated, and efforts to sell to companies not under order had not been adequately explored.

(c) The Commission advised that it cannot give blanket approval to sell the company in question to any company under Commission order. It further advised that the denial of such request is without prejudice to the submission to the Commission by any company under order of a request to purchase such dairy. In such event, any such submission will be duly considered by the Commission, and it will then decide upon the basis of the facts then presented.

(38 Stat. 717, as amended; 15 U.S.C. 41-58; 49 Stat. 1526; 15 U.S.C. 13, as amended)

Issued: September 2, 1969.

By direction of the Commission.

[SEAL] JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 10417; Filed, Sept. 2, 1969; 8:45 a.m.]

PART 15—ADMINISTRATIVE OPINIONS AND RULINGS

Labeling of Imported Magnetic Recording Tape

§ 15.366 Labeling of imported magnetic recording tape.

(a) The Commission issued an advisory opinion with respect to the labeling of imported magnetic recording tape.

(b) In commenting upon the proposed labels as submitted, the Commission expressed the view that (1) the words indicating the foreign country of origin should appear on the front or principal display panel; (2) the term "recording tape" should be used as the

specification of the identity of the commodity and that it should comprise a principal feature of the principal display panel; (3) in view of its understanding that recording tape is of uniform width, the length of the tape should be expressed in terms of feet followed in parentheses by a declaration of yards and common or decimal fractions of the yard, or in terms of feet followed in parentheses by a declaration of yards with any remainder in terms of feet and inches; and (4) the place of business of the manufacturer, packer, or distributor should include the street address, city, State, and Zip Code; however the street address may be omitted if it is shown in a current city directory or telephone directory.

(c) The Commission invited the applicant's attention to its regulations under section 4 of the Fair Packaging and Labeling Act for additional information.

(38 Stat. 717, as amended; 15 U.S.C. 41–58)

Issued: September 2, 1969.

By direction of the Commission.

[SEAL] JOSEPH W. SHEA, *Secretary.*

[F.R. Doc. 69–10418; Filed, Sept. 2, 1969; 8:45 a.m.]

Title 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

[Docket No. 18534, RM–1355; FCC 69–938, 35279]

PART 73—RADIO BROADCAST SERVICES

FM BROADCAST STATIONS, PANAMA CITY, FLA.

Table of Assignments

1. The Commission has before it for consideration its notice of proposed rule making issued on April 25, 1969 (FCC 69–439), and published in the FEDERAL REGISTER on April 30, 1969 (34 F.R. 7088), inviting comments on a proposal to assign a third Class C FM channel to Panama City, Fla., and make other changes in the table, as follows:

City (all in Florida)	Channel No.	
	Present	Proposed
Panama City	223, 300	223, 253, 300
Port St. Joe		228A
Ward Ridge	228A	

The notice was issued in response to a petition for reconsideration filed on February 28, 1969, by Gulf Radio, Inc. (Gulf Radio), Panama City Beach, Fla., of the Commission decision (Memorandum Opinion and Order, FCC 69–68) released January 29, 1969, denying petitioner's earlier request for assignment of Channel 294 to Panama City. The Commission's denial was based on the substantial preclusion effect on the proposed and adjacent channels that would result in other communities for which other comparable classes of assignments were not shown to be available, and on the fact that, based on population data then available, the maximum number of channels under the general population criteria used in FM assignment decisions had already been assigned to Panama City. The number and type of radio services available to Panama City, as well as petitioner's original contentions, were described in detail in the earlier order (FCC 69–68), and will not be repeated here.

2. Radio Gulf's request for reconsideration contained substantial new and updated data not included in its original petition. Included in the new information was the data which estimated the current Panama City population to be in excess of 40,000 persons and that of Bay County to be 80,000 to 90,000 (compared to the 1960 U.S. Census report of 33,275 and 67,131, respectively). It was also shown that the "Panama City urban complex" has a current (1968) population in excess of 50,000, the petitioner urging, therefore, that the community meets the population criterion for a third FM assignment. Petitioner further pointed out that Panama City is the largest community between Pensacola, 95 miles to the west, and Tallahassee, 85 miles to the east, and alleged that Panama City is the principal trade center for a radius of 50 miles that includes a population of 150,000 persons. Numerous other data, some becoming available only subsequent to the original petition, were submitted in support of Radio Gulf's contention that the city is a rapidly expanding and economically healthy center of industrial, commercial, and recreational facilities for the north central Florida area.

3. We stated in the notice that petitioner had not completely dispelled our concern as to the significant preclusion impact which would result if the proposal for Channel 294 were adopted. Accordingly, we determined that Channel 253 was available for assignment to Panama City and would involve substantially less preclusion impact areas, with other channels of appropriate classes available to each affected community warranting consideration. Thus, comments were invited in the notice on our proposal to assign Channel 253 to Panama City.

4. Comments in response to the notice were received from two parties, one supporting the proposal and the other opposing it. The supporting comments were filed by Community Service Broadcasting Co., Inc., licensee of Station WSCM (AM daytime-only), Panama City Beach, who submits that, inter alia, Panama City needs the additional channel and that it desires to file for the facility when adopted. Dixie Radio, Inc. (Dixie), licensee of Stations WDLP (full-time AM) and WPAP–FM, Panama City, opposes the proposed assignment for two principal reasons. First, Dixie maintains that Panama City is already well served by four full-time and independently programed aural stations and that an additional (fifth) facility at this time would jeopardize the economic base of the existing stations with a consequent deterioration of service.[1] Next, the opposition urges that the proposed assignment would result in an undue concentration of (FM) facilities in Panama City with an accompanying preclusion of the channel to any (other) developing area. Dixie urges that the latter would be inconsistent with announced Commission policies concerning requests for additional FM assignments.

5. Radio Gulf asserts in its reply to the opposition that Dixie does not allege any facts in its comments to support the economic and engineering arguments advanced. Petitioner notes that no data concerning the area's economics is submitted, and, further, that at least two other area broadcasters have shown a need and expressed a desire to build and operate a third FM station in the area if the assignment is made. Finally, it is urged that no single supporting fact is given regarding the "preclusion effect" if Channel 253 is assigned to Panama City.

6. Upon careful consideration of all comments and data submitted in this proceeding, we conclude that the proposed assignment of Channel 253 to Panama City would serve the public interest and therefore should be adopted. As we noted in the notice, because of the city's importance to its area and relatively great distance from larger population centers (Pensacola and Tallahassee at 85 miles or more distant), we are of the view that the city is of sufficient size to warrant a third Class C assignment, despite the fact that the city proper population is less than 50,000. We are also persuaded here by the important fact that the limited preclusion impact that would result from the assignment of Channel 253 can be effectively compensated by virtue of the availability of other assignable channels of appropriate classes to any affected communities warranting consideration. The opposition has not provided a showing that this assumption is in error. Thus, we hold to the opinion that the assignment would represent a fair and equitable distribution of facilities in the area. As to the opposition's contentions of economic impact, review of recent financial reports show that the Panama City radio market is a profitable one and that the four stations in Panama City (2 AM, 2 FM) are realizing a not insubstantial cash flow. The data available does not indicate that the additional outlet will adversely affect the existing broadcast service in Panama City.

7. The notice also contained an unrelated proposal that Channel 228A be reassigned from the small community of Ward Ridge (population 45) to Port St. Joe (population 4,217). By such arrangement Port St. Joe would receive a first

[1] Dixie states that it recently inaugurated separate programing on its AM and FM stations and asserts, therefore, that Panama City now has four independently programed stations: Two Class C FM stations and two unlimited-time AM stations.

FM assignment and, under the provisions of § 73.203(b), the channel would remain available for applications at Ward Ridge, should interest eventually develop for its use in the latter community. There were no comments directed to this aspect of the notice. We are therefore adopting the change in assignment of Channel 228A as proposed.

8. In view of the foregoing, and pursuant to the authority contained in sections 4(i), 303, and 307(b) of the Communications Act of 1934, as amended: *It is ordered,* That effective October 9, 1969, § 73.202, the Table of FM Channel Assignments, of the Commission's rules, is amended, insofar as the communities named, as follows:

(a) Delete the following entry:

City	Channel No.
Ward Ridge, Fla	228A

(b) Add the following entry:

City	Channel No.
Port St. Joe, Fla	228A

(c) Change the following entry to read:

City	Channel No.
Panama City, Fla	223, 253, 300

9. *It is further ordered,* That this proceeding is terminated.

(Secs. 4, 303, 307, 48 Stat., as amended, 1066, 1082, 1083; 47 U.S.C. 154, 303, 307)

FEDERAL COMMUNICATIONS COMMISSION,
BEN F. WAPLE,
Secretary.

[F.R. Doc. 69-10476; Filed, Sept. 2, 1969; 8:48 a.m.]

[Docket No. 18406; FCC 69-933]

PART 91—INDUSTRIAL RADIO SERVICES

Policy Governing the Assignment of Frequencies

In the matter of amendment of Part 91 of the Commission's rules to require frequency coordination in the Business Radio Service; Docket No. 18406; Petition of Central Station Electrical Protection Association, and controlled companies, American District Telegraph Co. and Baker Industries, Inc., to amend Part 91 of the Commission's rules to establish an Industrial Protection Radio Service and to require coordination of frequencies allocated to the Central Station Protection Industry; RM-1267; Petition of National Association of Business and Educational Radio, Inc. (NABER) to amend section 91.8 of the Commission's rules to require frequency coordination for applications requesting assignment of frequencies in the 450-470 MHz band allocated for use in the Business Radio Service; RM-1302.

1. The Commission has under consideration that part of our proposal in the above entitled matter which relates to frequency coordination requirements in the Business Radio Service in the 450-470 MHz band for five frequency pairs allocated to the central station protection industry and for 10 pairs allocated for land mobile operations at air terminals. The remaining matter in this proceeding, concerning the petition (RM-1302) of the National Association of Business and Educational Radio for frequency coordination requirements generally in the Business Radio Service in the 450-470 MHz band, at the suggestion of the petitioner and for other considerations, will be considered separately at a later date.

2. The notice of proposed rule making in this proceeding was released on December 18, 1968, and duly published in the FEDERAL REGISTER on December 21, 1968 (33 F.R. 19087). By order (Mimeo 28488) released February 27, 1969, the Commission extended the time for filing reply comments from February 24, 1969, to February 28, 1969, as to the proposal relating to central station protection frequency coordination.

3. In our notice, we proposed amendment of § 91.8(a)(1)(vii) of our rules to provide coordination requirements for the groups of frequency pairs in the 450-470 MHz band allocated to persons rendering a central station commercial protection service and those allocated for land mobile operations at air terminals. Comments supporting this proposal and urging its prompt adoption were submitted by the Central Station Electrical Protection Association, and the controlled companies, American District Telegraph Co., and Baker Industries, Inc. (collectively referred to hereinafter as CSEPA). Comments in support were also filed by NABER, Aeronautical Radio, Inc. (ARINC), and the Special Industrial Radio Service Association, Inc. (SIRSA). In the event that the proposed rule change is adopted, CSEPA also requested in its comments that a committee composed of representatives of the three joint petitioners, known as the Central Station Industry Frequency Advisory Committee, be designated the frequency coordinator for the central station protection frequencies. ARINC apparently will be the frequency coordinator for the air terminal frequencies.

4. Florida Security Systems, Inc. (Florida Security), which provides automatic burglar and intruder alarm service to residential and business properties in the State of Florida, opposed our proposal to establish coordination for the frequencies allocated to the central station protection industry on several grounds. First, Florida Security argued that there is no need for coordination here because "no unmanageable interference problems" are anticipated. Secondly, it argued that, even if there is a need for coordination, the proposed coordinating committee would be an improper vehicle because, in its view, that committee is not representative of those who are eligible to use the frequencies in question. Finally, Florida Security claimed that because of the competitive situation in the electrical protection industry and the dominant position of the three petitioners in that industry, establishment of a coordinating committee "* * * would be creating a mechanism whereby a small group would be given the effective power to divide up a small number of frequencies among themselves."

5. We have considered carefully all of Florida Security's arguments. However, we have concluded that none requires denial of the coordination procedures we have proposed nor denial of recognition to the proposed coordinating committee. On the other hand, we believe, for the reasons we stated in our notice of proposed rule making, that coordination of the frequencies allocated to the central station protection industry, as well as those allocated for land mobile operations on airports, would be useful. Contrary to the position taken by Florida Security, traditionally, coordination has been considered most appropriate not in services with "unmanageable interference problems", but in services where relatively few and homogenous licensees in a given area were expected to share the available frequencies. As we pointed out in the notice, these conditions are expected to prevail with respect to both the central station and air-terminal frequencies. Accordingly, we believe that prior coordination of the frequencies in question can be helpful in preventing assignment conflicts, where this can be avoided, and otherwise in promoting their more efficient use.

6. Nor can we conclude from the arguments presented by Florida Security that the proposed coordination committee will function improperly. The committee is composed of three individuals, each representing, respectively, the Central Station Protection Association, the American District Telegraph Co., and Baker Industries. According to CSEPA, these three organizations represent approximately 75 percent of eligible central stations.[1] Florida Security does not dispute this, but argues that any coordinating committee composed of representatives of entities which dominate the industry could not possibly be representative of all persons who are eligible for the radio facilities concerned. We recognize that the proposed committee is not composed of representatives of all

[1] Section 91.554(b)(32) confines eligibility for the five pairs of frequencies in the 460-470 Mc/s allocated for the central station protection industry to "persons rendering a central station commercial protection service." Central station commercial protection service is defined in that rule "as those electrical protection and supervisory services rendered from and by a central station approved by one or more of the recognized rating agencies and/or the Underwriters' Laboratories, Inc." Thus, these frequencies are not available to all who provide electrical protection service. Although it is not entirely clear, from the information available, Florida Security may not be eligible to use these frequencies in the areas where they are reserved for the protecton industry. (Two pairs of these frequencies are reserved for this purpose nationwide, and the remaining three pairs are reserved for the industry in urban areas of 200,000 or more population).

of those who are eligible to use the frequencies set aside for the central station commercial protection industry, but this is generally true of all of the existing coordinating committees. However, we expect the proposed committee (as we have of all existing committees) to be representative of all eligibles in that it will be incumbent upon it to issue a frequency recommendation without discrimination to all who apply whether or not they are members of the organization composing it. In this connection, we believe that Florida Security has misconceived the functions of frequency coordinating committees and that its fears that the entities represented in it would use the coordination process to "divide" the frequencies among themselves and "preclude entrance into the field by other companies" are exaggerated. A coordinating committee does not assign radio frequencies. It merely recommends to a prospective applicant frequencies which, in its opinion, will result in the least amount of interference with existing systems. It may not pass upon the qualifications of an applicant, and may not decline to make a frequency recommendation. Its recommendations are purely advisory; they are not binding either on the applicant or the Commission. Thus, an applicant dissatisfied with the committee's recommendation may ask for another frequency and has recourse to the Commission if he believes that the committee has not acted in good faith. The Commission has adequate authority under its rules to correct any abuses shown. In sum, the function of coordinating committees in the frequency assignment process, although highly important, is limited. Certainly, it may not preclude assignment of frequencies to an eligible and qualified applicant, as Florida Security seems to fear. We note that the committee proposed by CSEPA is composed of qualified individuals, and we have no reason to believe that they will not perform their coordinating functions in a satisfactory manner. Finally, our action today in recognizing the proposed coordinating committee does not preclude future changes in its membership. Indeed, we will expect that if a representative of the remaining 25 percent or so of the eligibles would offer his services to this committee, he would be accepted as a member.

7. In view of the foregoing, the Commission concludes that amendment of § 91.8(a)(1)(vii), to establish frequency coordination requirements for central station protection and air terminal frequencies in the 450–470 MHz band would serve the public interest, convenience and necessity. We also find that the Central Station Industry frequency Advisory Committee, the only applicant for such authority, is acceptable to serve as the designated frequency coordination committee for the central station protection industry frequencies. Similar recognition is not now afforded the ARINC committee with respect to air terminal frequencies, since that organization has not as yet requested it.

8. Authority for the rule amendment adopted herein is contained in sections 4(i) and 303(r) of the Communications Act of 1934, as amended, *Accordingly, it is ordered,* That effective December 1, 1969, § 91.8(a)(1)(vii) of the Commission's rules is amended as set forth below.

(Secs. 4, 303, 48 Stat., as amended 1066, 1082; 47 U.S.C. 164, 303)

Adopted: August 27, 1969.

Released: August 28, 1969.

FEDERAL COMMUNICATIONS COMMISSION,[2]
[SEAL] BEN F. WAPLE,
Secretary.

Part 91 of the Commission's rules is amended as follows:

Section 91.8(a)(1)(vii) is revised to read as follows:

§ 91.8 Policy governing the assignment of frequencies.

(a) * * *

(1) * * *

(vii) Any application in the Business Radio Service where the frequency involved and both immediately adjacent frequencies are available for assignment in that service, except for the frequencies allocated for the exclusive use by persons rendering a central station commercial protection service or by persons engaged in furnishing commercial air transportation service at air terminals in accordance with the provisions of § 91.554(b).

* * * * *

[F.R. Doc. 69-10475; Filed, Sept. 2, 1969; 8:48 a.m.]

Title 50—WILDLIFE AND FISHERIES

Chapter I—Bureau of Sport Fisheries and Wildlife, Fish and Wildlife Service, Department of the Interior

PART 32—HUNTING

Lostwood National Wildlife Refuge, N. Dak.

The public hunting of sharp-tailed grouse and Hungarian partridge on the Lostwood National Wildlife Refuge, N. Dak., is permitted only on that area designated by signs as open to hunting during the period September 20 through December 14, 1969. The open area, comprising 4,720 acres during the period September 20 through November 16 and 26,101 acres during the period November 17 through December 14, 1969, is delineated on maps available at the refuge headquarters, Lostwood, N. Dak., and from the Regional Director, Bureau of Sport Fisheries and Wildlife, Federal Building, Fort Snelling, Twin Cities, Minn. 55111. Hunting shall be in accordance with all applicable State regulations and the following special condition:

1. Vehicle travel restricted to public highways and refuge entrance road from State Highway No. 8 to refuge headquarters. All other refuge roads and trails are closed to vehicles.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally, which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through January 1, 1970.

JAMES E. FRATES,
Refuge Manager, Lostwood National Wildlife Refuge, Lostwood, N. Dak.

AUGUST 25, 1969.

[F.R. Doc. 69-10454; Filed, Sept. 2, 1969; 8:47 a.m.]

Title 7—AGRICULTURE

Chapter I—Consumer and Marketing Service (Standards, Inspections, Marketing Practices), Department of Agriculture

PART 81—INSPECTION OF POULTRY AND POULTRY PRODUCTS

Labeling Requirements, Standards of Composition, and Definitions

On April 9, 1969, there was published in the FEDERAL REGISTER (34 F.R. 6283) a notice of proposed amendments to §§ 81.8, 81.131, and 81.134(c)(2) of the Regulations Governing the Inspection of Poultry and Poultry Products (7 CFR Part 81), pursuant to authority contained in the Poultry Products Inspection Act, as amended by the Wholesome Poultry Products Act (21 U.S.C. 451 et seq.).

The amendments were proposed to assure that deboned poultry products subject to the provisions of the Act are labeled in accordance with the Act. The amendments will:

Provide labeling requirements for boneless poultry products.

Revise the definition and standard of composition for canned shredded poultry.

Define the term "poultry byproducts."

The amendments relate to amendments of the regulations under the Federal Meat Inspection Act adopted concurrently herewith (INFRA).

Statement of considerations. A period of 45 days after publication of the notice in the FEDERAL REGISTER was provided for interested persons to submit written data, views, or comments in connection with the proposals. The notice told how and where to submit the written materials about the proposals.

The Department has carefully considered all of the information presented in these comments, and all other available information.

[2] Commissioners Bartley, Cox, and Wadsworth absent; Commissioner Johnson concurring in result.

A change was indicated in the limit placed on bone content in boneless poultry products. Therefore, the following decision on the proposals to amend the regulations under the Poultry Products Inspection Act as amended by the Wholesome Poultry Products Act has been made:

Bone Residue (Decision: Tolerance for bone residue is limited to 1 percent.)

In response to suggestions for a change in the proposed limit, the Department carefully appraised operating results in a series of poultry plants that use mechanical deboning equipment. Analyses were made of 485 samples of raw, mechanically boned product from nine commercial operations, representing the three makes of machines most often used in this process.

Such analyses demonstrated that it is practical to limit the bone residue in deboned poultry to 1 percent;

Existing equipment can be operated under commercial conditions to produce poultry meat that contains no more than 1 percent of bone residue.

These are the considerations on which the decision was made. The specific amendments to the regulations are as follows:

1. Section 81.1 is amended to include the following definition in its correct alphabetical position:

§ 81.1 **Definitions.**

* * * * *

Poultry byproduct. Poultry byproduct means the skin, fat, gizzard, heart, or liver of any poultry.

* * * * *

2. In § 81.131, a new paragraph (g) is added to read:

§ 81.131 **False or deceptive terms or devices; and other labeling requirements.**

* * * * *

(g) Boneless poultry products shall be labeled in a manner that accurately describes their actual form and composition. The product name shall specify the form of the product (e.g., emulsified, finely chopped, etc.), and if the product does not consist of natural proportions of meat, skin, and fat, as they occur in the whole carcass, shall also include terminology that describes the actual composition. If the product is cooked, it shall be so labeled. Boneless poultry product shall not have a bone content of more than 1 percent, on a raw weight basis. For the purpose of this part, natural proportions of skin, as found on a whole carcass, will be considered to be as follows:

	Raw	Cooked
	Percent	
Chicken	20	25
Turkey	15	20

3. In § 81.134, paragraph (c)(2)(iii) is amended to read as follows:

§ 81.134 **Product specifications for labeling purposes.**

* * * * *

(c) *Poultry meat content of poultry food products.* * * *

(2) *Canned boned poultry.* * * *

(iii) Canned shredded poultry (Shredded) (Kind), consists of poultry meat reduced to a shredded appearance, from the kind of poultry indicated, with meat, skin, and fat not in excess of the natural whole carcass proportions. Canned shredded poultry from specific parts may include skin or fat in excess of the proportions normally found on a whole carcass, but not in excess of the proportions of skin and fat normal to the particular part or parts; and such product shall be labeled in accordance with § 81.131(g). Product within this subdivision (iii) shall be prepared as set forth in Table II, items 1, 2, 3, or 4, whichever is applicable.

* * * * *

The foregoing amendments differ in some respects from the proposals set forth in the notice of rule-making. The differences are due to changes made pursuant to comments received in the rule-making proceeding. It does not appear that further public rule-making procedure on the amendments would make additional information available to the Department. Therefore, under the administrative procedure provisions in 5 U.S.C. 553, it is found upon good cause that such further proceedings are unnecessary.

The foregoing amendments shall become effective 30 days following publication of this notice in the FEDERAL REGISTER.

Done at Washington, D.C., on August 28, 1969.

G. H. WISE,
Deputy Administrator,
Consumer Protection.

[F.R. Doc. 69-10545; Filed, Sept. 2, 1969; 8:49 a.m.]

Title 9—ANIMALS AND ANIMAL PRODUCTS

Chapter III—Consumer and Marketing Service (Meat Inspection), Department of Agriculture

PART 317—LABELING

Use of Poultry Products in Cooked Sausage

On April 9, 1969, there was published in the FEDERAL REGISTER (34 F.R. 6284) a notice of a proposed amendment to § 317.8(c)(40) of the Federal Meat Inspection Regulations (9 CFR 317.8(c)(40)), pursuant to authority contained in the Federal Meat Inspection Act, as amended by the Wholesome Meat Act (21 U.S.C., Supp. IV, § 601 et seq.).

The proposed amendment was to permit the use of poultry products in cooked sausage when the amount of such ingredient does not exceed 15 percent, with a reference to such poultry ingredients only in the ingredient statement on the label of the sausage.

Statement of considerations. The Department received a total of 1,066 letters of comment—the largest number that has ever been received by the Consumer Protection Programs on a "rulemaking" matter.

This response gave the Department the benefit of a broad range of viewpoints to consider in arriving at a decision on the issues involved. Comments came from the meat and poultry industries, colleges, physicians, and home economists as well as 963 from consumers and consumer organizations.

The record number of comments received, and the content of the comments, emphasized the importance of this matter. Frankfurters and other cooked sausage products are one of America's favorite foods. Americans eat more than 1½ billion pounds of frankfurters a year, and another ¾ billion pounds of bologna.

The Department has carefully considered all of the information presented to it in these comments, and all other available information, and has made the following decisions on the proposals to amend the regulations under the Federal Meat Inspection Act:

Labeling Requirement [Decision: When no more than 15 percent of poultry products are used in cooked sausage, the presence of the poultry in the product may be shown on the label in the ingredient statement only.]

The amount of poultry acceptable under such a labeling requirement has been carefully considered in view of comments received and taste panel studies conducted within the Department. Taste panelists noted no changes in product characteristics at the 15 percent level. It has, therefore, been concluded that listing poultry in the ingredient statement will be adequate for labeling this class of product.

Some consumers may prefer a sausage that contains more than 15 percent poultry. Cooked sausage containing more than that amount of poultry will continue to be labeled with product names which clearly show its presence, such as, "Frankfurter with Chicken."

Limitation on Skin [Decision: Only the meat of poultry (without skin) will be permitted in "all meat" sausages. Poultry meat and skin will be permitted in other sausages.]

This decision is in line with the long-standing definition of poultry meat in the Department's regulations. Consumers expect that "all meat" products are what that name implies, and the decision requires that products that are so labeled must contain poultry muscle tissue. Poultry skin may be used in cooked sausage products that are not labeled as being composed of all meat. In such a case, the ingredient statement will contain a description of the poultry product used.

Kidneys and Sex Glands [Decision: No kidneys or sex glands will be permitted as an ingredient of cooked sausage products.]

This decision continues a long-established policy of not permitting the use of these organs from livestock carcasses in cooked sausages. No information was

made available to the Department which justifies any change in this policy.

These are the considerations on which the decisions were made. Accordingly, § 317.8(c)(40) of the regulations is amended by adding at the end thereof the following:

§ 317.8 False or deceptive labeling and practices.

* * * * *

(c) * * *

(40) * * * Products labeled frankfurter, frankfurt, frank, furter, wiener, vienna, bologna, garlic bologna, or knockwurst, and similar sausages may contain poultry products which, individually or in combination, are not in excess of 15 percent of the total ingredients excluding water, in the sausage. Such poultry products must be free of kidneys and sex glands, and the amount of skin present must not exceed the natural proportion of skin present on the whole carcass of the kind of poultry used in the sausage, as specified in the regulations under the Poultry Products Inspection Act (7 CFR 81.131(g)). For purposes of this subparagraph, poultry products means chicken or turkey, chicken, or turkey meat, or chicken or turkey byproducts as defined in the regulations under the Poultry Products Inspection Act (7 CFR Part 81). They shall be designated in the ingredient statement on the label of such sausage in accordance with the provisions of said regulations. Such sausage products if labeled "all meat" shall contain only beef, pork, veal, mutton, lamb, or goat meat, or chicken or turkey meat (without skin but otherwise as provided in this section), or any combination thereof, and condiments, curing agents, and water as permitted by this section and § 318.7 of this subchapter. If labeled "all (species)," e.g., "all beef franks" or "all pork franks," these sausages shall contain only meat of the specified species, with condiments, curing agents, and water as permitted by this section and § 318.7 of this subchapter.

* * * * *

The foregoing amendments shall become effective 30 days following publication of this notice in the FEDERAL REGISTER.

Done at Washington, D.C., on August 28, 1969.

ROY W. LENNARTSON,
Administrator.

[F.R. Doc. 69-10546; Filed, Sept. 2, 1969; 8:49 a.m.]

Proposed Rule Making

DEPARTMENT OF THE INTERIOR

National Park Service

[36 CFR Part 7]

MOUNT RAINIER NATIONAL PARK, WASH.

Fishing, Mountain Climbing, and Elimination of Duplicated Material

Notice is hereby given that pursuant to the authority contained in section 3 of the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 3), 245 DM–I (27 F.R. 6395), National Park Service Order No. 34 (31 F.R. 4255), Regional Director, Western Region Order No. 4 (31 F.R. 5577), as amended, it is proposed to revise § 7.5 of Title 36 of the Code of Federal Regulations as set forth below. The purpose of this revision is to delete material which is duplicated in the General Regulations contained in Parts 1 through 6 of this chapter, or which is no longer necessary; to include in the Special Regulations restrictions on mountain climbing within Mount Rainier National Park; and to bring up-to-date the fishing regulations.

It is the policy of the Department of the Interior, whenever practicable, to afford the public an opportunity to participate in the rule making process. Accordingly, interested persons may submit written comments, suggestions, or objections with respect to the proposed revision to the Superintendent, Mount Rainier National Park, Longmire, Wash. 98397, within 30 days of the date of publication of this notice in the FEDERAL REGISTER.

(5 U.S.C. 553; 39 Stat. 535; 16 U.S.C. 3)

Section 7.5 is revised to read as follows:

§ 7.5 Mount Rainier National Park.

(a) *Fishing.* (1) Fishing in lakes shall be from July 4 to October 31 inclusive.

(2) The following waters are closed to fishing:

(i) Tipsoo Lake.

(ii) Shadow Lake.

(iii) Klickitat Creek above the White River Entrance water supply intake.

(iv) Laughing Water Creek above the Ohanopecosh water supply intake.

(v) Frozen Lake.

(vi) Reflection Lakes.

(vii) Ipsut Creek above the Ipsut Creek Campground water supply intake.

(3) Except for artificial fly fishing, the Ohanopecosh River and its tributaries are closed to all fishing.

(4) There shall be no minimum size limit on fish that may be possessed.

(b) *Climbing and hiking.* (1) Registration with the Superintendent is required prior to and upon return from any climbing or hiking on glaciers or above the normal high camps such as Camp Muir and Camp Schurman.

(2) A person under 18 years of age must have permission of his parent or legal guardian before climbing above the normal high camps.

(3) A party traveling above the high camps must consist of a minimum of two persons unless prior permission for a solo climb has been obtained from the Superintendent. The Superintendent will consider the following points when reviewing a request for a solo climb: The weather prediction for the estimated duration of the climb, and the likelihood of new snowfall, sleet, fog, or hail along the route, the feasibility of climbing the chosen route because of normal inherent hazards, current route conditions, adequacy of equipment and clothing, and qualifying experience necessary for the route contemplated.

JOHN A. TOWNSLEY,
Superintendent,
Mount Rainier National Park.

[F.R. Doc. 69–10438; Filed, Sept. 2, 1969; 8:45 a.m.]

DEPARTMENT OF AGRICULTURE

Consumer and Marketing Service

[7 CFR Part 944]

IMPORTS OF ORANGES

Notice of Proposed Rule Making

Consideration is being given to the following proposal, as hereinafter set forth, which would limit the importation of any oranges into the United States, pursuant to Part 944—Fruits; Import Regulations (7 CFR Part 944). This proposed amendment of the import regulation is designed to prescribe a grade and size regulation which would be the same as the proposed domestic grade and size regulation for oranges grown in the State of Texas, which is also to become effective September 15, 1969. This import regulation is effective pursuant to section 8e of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674).

All persons who desire to submit written data, views, or arguments in connection with the proposal should file the same with the Hearing Clerk, Room 112A, U.S. Department of Agriculture, Washington, D.C. 20250, not later than the 6th day after publication of this notice in the FEDERAL REGISTER. All written submissions made pursuant to this notice will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

The proposal is to amend paragraph (a) of § 944.307 Orange Regulation 8 (7 CFR Part 944; 34 F.R. 5156) to read as follows:

§ 944.307 Orange Regulation 8.

(a) On and after September 15, 1969, the importation into the United States of any oranges is prohibited unless such oranges are inspected and grade U.S. Fancy, U.S. No. 1, U.S. No. 1 Bright, U.S. No. 1 Bronze, U.S. Combination, with not less than 60 percent, by count, of the oranges in each container thereof grading at least U.S. No. 1 grade and the remainder grading U.S. No. 2, or U.S. No. 2; and are of a size not smaller than 2$\frac{6}{16}$ inches in diameter: *Provided,* That not more than 10 percent, by count, of such oranges in any lot of containers, and not more than 15 percent, by count, of such oranges in any individual container in such lot, may be of a size smaller than 2$\frac{6}{16}$ inches in diameter.

Dated: August 29, 1969.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 69–10497; Filed, Sept. 2, 1969; 8:49 a.m.]

[7 CFR Parts 1007, 1090]

[Docket Nos. AO–366–A1, 266–A12]

MILK IN GEORGIA AND CHATTANOOGA, TENN., MARKETING AREAS

Notice of Recommended Decision and Opportunity To File Written Exceptions on Proposed Amendments to Tentative Marketing Agreements and to Orders

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given of the filing with the Hearing Clerk of this recommended decision with respect to proposed amendments to the tentative marketing agreements and orders regulating the handling of milk in the Georgia and Chattanooga, Tenn., marketing areas. Interested parties may file written exceptions to this decision with the Hearing Clerk, U.S. Department of Agriculture, Washington, D.C. 20250, by the 15th day after publication of this decision in the FEDERAL REGISTER. The exceptions should be filed in quadruplicate. All written submissions made pursuant to this notice will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

PRELIMINARY STATEMENT

The hearing on the record of which the proposed amendments, as hereinafter set forth, to the tentative marketing agreements and to the orders, as amended, were formulated was conducted at Chattanooga, Tenn., on March 27–28, 1969, pursuant to notice thereof which was issued February 20, 1969 (34 F.R. 2609).

The material issues on the record of the hearing relate to:

1. Marketing area expansion; and
2. With respect to the Chattanooga order:
   (a) Revision of location adjustments;
   (b) Elimination of supply-demand adjustor;
   (c) Diversion of producer milk; and
   (d) Classification of skim milk represented by the nonfat solids used to produce reconstituted buttermilk.

This decision deals with all the above issues except 2(d) which will be dealt with in a later decision.

FINDINGS AND CONCLUSIONS

The following findings and conclusions on the material issues are based on evidence presented at the hearing and the record thereof:

1. *Marketing area.* The Georgia counties of Floyd, Gilmer, Gordon, Pickens, and Union, should be added to the Georgia marketing area. This will provide a regulatory program for milk marketing within the enlarged marketing area consistent with current marketing conditions and practices. It is concluded further that the present provisions of the Georgia order are appropriate to the enlarged marketing area.

Producer associations under the Georgia order and Beatrice Foods Co., a handler, proposed including the five counties, which lie between the present Chattanooga and Georgia marketing areas, under the Georgia order. This position was supported by a Calhoun, Ga., handler whose sales are primarily in Gordon County.

The Beatrice spokesman urged that the five counties be included in the Georgia marketing area (rather than Chattanooga), stating that this would facilitate the continuance of partially regulated distributing plant status for its Gadsden plant under both orders. He stated that if the Gadsden plant became a pool plant under either order, it could be disadvantaged competitively in its principal sales territory. About 75 percent of the plant's Class I distribution is in Alabama, where it must compete with an entirely different group of distributors and under substantially different market conditions. While there is State price regulation of farm prices of milk in Alabama, there is no federally regulated market there at this time.

The Tennessee Valley Milk Producers Association (TVMPA), which represents about three-fourths of the producers under the Chattanooga order, proposed that the five counties be included in the Chattanooga marketing area. This proposal was supported by major Chattanooga order handlers, one of whom has Class I distribution in parts of the five-county area from both his Chattanooga and Atlanta plants, which are regulated under the Chattanooga and Georgia orders, respectively.

These proponents for including the five counties in the Chattanooga marketing area (instead of Georgia) stated that this was desirable in order to insure that the Gadsden, Ala., plant would be a fully regulated plant under the Chattanooga order instead of a partially regulated distributing plant under both the Chattanooga and Georgia orders. To do otherwise, they claimed, would provide the operator of the Gadsden plant a competitive advantage over fully regulated handlers on his sales in the five counties.

Official notice is taken of the November 19, 1968, recommended decision (33 F.R. 17624) on the then proposed Georgia order which found that the above five counties should be included in the Georgia marketing area. Exceptions filed to that decision argued that the five counties should be a part of the Chattanooga marketing area (instead of Georgia). In view of the controversy, the January 15, 1969, final decision (34 F.R. 960) on the Georgia order did not include the five counties in the marketing area. That decision, of which official notice also is taken, stated that another hearing would be held as soon as possible to receive additional and more current evidence concerning the marketing of milk in these counties to determine which order should apply to any, or all, such counties if regulation were warranted. The hearing on which this decision is based resulted from that action.

With the addition of the above five counties, the Georgia marketing area would include 151 of the 159 counties in Georgia. Of the remainder, seven in the northwestern corner of the State are in the Chattanooga order marketing area, and one county, Rabun, is not included in the marketing area of any Federal order.

The handling of milk and milk products in the expanded Georgia marketing area is in the current of interstate commerce or directly burdens, obstructs or affects interstate commerce in milk and its products. Fluid milk products are distributed regularly on routes in the five counties proposed to be added to the marketing area from plants located in Alabama, Tennessee, and North Carolina, as well as from local plants and plants in other parts of the Georgia marketing area. Supplemental supplies of milk for their Class I needs are sometimes obtained from out-of-State plants by Georgia handlers, including those serving the five counties. In addition, when the milk of producers regularly supplying Georgia plants is not needed by them, it is moved to plants in Tennessee for manufacturing.

The minimum sanitary requirements applicable to Grade A milk handled throughout the entire marketing area as expanded are patterned after the U.S. Public Health Ordinance and Code and are uniformly administered by State and county authorities.

The 1960 census population of the enlarged marketing area is 3.8 million. The 1960 population of the five counties to be added to the marketing area is 113,000. The heaviest concentration of population in the five counties is in Floyd County (69,000). The populations of the other counties are: Gordon—19,000; Gilmer—9,000; Pickens—9,000; and Union—7,000.

Rome (population 32,000), in Floyd County, is the largest city in the five counties. Calhoun, in Gordon County, the next largest city, has a population of 4,000.

Except for a producer-handler plant, all plants from which milk is distributed in the five-county area are subject to either the Georgia or Chattanooga order as fully regulated or partially regulated distributing plants. Two of these, located within the five-county area and fully regulated by the Georgia order, are at Rome and Calhoun. Rome is 65 miles from both Atlanta and Chattanooga, the major cities in the two marketing areas. Calhoun is 70 miles from Atlanta and 50 miles from Chattanooga. One handler with a plant at Chattanooga and another plant at Atlanta distributes milk in four of the five counties. This handler sells some milk in such counties from both plants.

The Calhoun plant receives milk from seven producers and is essentially a Class I operation. About 75 percent of the Class I distribution of the plant is in Gordon County. The principal competitor in that county is Beatrice's Gadsden, Ala., plant, a partially regulated plant under both the Chattanooga and the Georgia orders. The Calhoun handler distributes about 50 percent of the total milk sold in Gordon County. About 44 percent is distributed by the Gadsden plant. Most of the remaining Class I distribution is by the Rome handler and other handlers under the Georgia order. The handler who has plants at both Chattanooga and Atlanta has minimal sales in this county.

When producer deliveries are not adequate for the Class I needs of the Calhoun plant, supplemental supplies are obtained from an Atlanta handler and from TVMPA's Chattanooga plant.

Of the total Class I distribution in Floyd County, between 27 and 40 percent is from the local plant at Rome, which is regulated currently by the Georgia order. About 15 percent is distributed from the Gadsden and Calhoun plants, and approximately 35 percent is from Atlanta plants under the Georgia order. The remaining distribution is by the handler who has fully regulated plants under the Chattanooga and Georgia orders.

In Pickens County, about one-third of the distribution is from the Gadsden plant, about one-third from a producer-handler under the Georgia order, and the remaining third from plants fully regulated under the Georgia order, including the plant at Calhoun.

About half the distribution in Gilmer County is from the Gadsden plant, 20–25

percent from a Georgia order fully regulated plant and the remainder from the handler who operates plants in both Atlanta and Chattanooga.

In Union County, 70 percent of the total distribution is from the Gadsden plant and 30 percent from two fully regulated plants under the Georgia order, one of which also sells in Gilmer County in competition with the Gadsden plant.

It is concluded from the foregoing that competition in the five counties is intimately involved with the present Georgia market since such counties are extensively served by handlers fully regulated under the Georgia order. Such handlers have a relatively high proportion of Class I sales in the five-county area as compared to sales therein from the Chattanooga market. In view of the extent of competition involved, the uniform price plan effective in the Georgia market should be extended to these counties. It is appropriate therefore that the five counties be included in the Georgia marketing area.

Regulated handlers are required of course, to pay producers minimum class prices for all Class I milk distributed in the proposed area. Extending the Georgia marketing area to include the five counties proposed herein is necessary to insure that such handlers are not competitively disadvantaged on a substantial amount of their Class I sales. This action thus will assure the fully regulated handlers having Class I sales in these counties that other distributors who compete therein will be subject to the provisions of the order on such sales.

The provisions of the order applicable to a handler selling only small amounts in the area (as a partially regulated distributing plant) insures that the price paid by him for the milk sold in the marketing area will approximate its value at the minimum Class I price under the order. Since the quantity of Class I milk that he may distribute in the marketing area without becoming fully regulated is limited, he may not increase appreciably his sales in the marketing area at the expense of fully regulated handlers and their producers. By this means the integrity of the regulation may be maintained.

The proponents for including the five counties in the Chattanooga marketing area (instead of Georgia) contended that their proposal would have the desirable effect of insuring that the Gadsden, Ala., plant would be fully regulated under the Chattanooga order instead of remaining a partially regulated distributing plant under both the Chattanooga and Georgia orders.

About 25 percent of the total Class I distribution of the Gadsden plant is in northwestern Georgia. About half these sales are in the seven Georgia counties that are now included in the Chattanooga marketing area; its remaining Georgia sales are principally in the five counties proposed herein to be added to the Georgia marketing area. It was not shown that the Gadsden plant must be fully regulated under the Chattanooga order to remove or prevent an adverse effect on its fully regulated competitors or their producer suppliers. Moreover, even if the distribution patterns suggested inclusion of such five counties in the Chattanooga marketing area, the objective of proponents to fully regulate the Gadsden plant under Chattanooga would not necessarily be realized. Other choices are open to the operator of the Gadsden plant.

As a partially regulated plant under the Chattanooga order, Gadsden's Class I sales in the Chattanooga marketing area have been, of course, less than 15 percent of the plant's total Class I disposition. It is noted also that the handler operating such plant also operates a plant at Opelika, Ala., which is expected to be a fully regulated or partially regulated plant under the Georgia order. In recent months Class I distribution in the Chattanooga marketing area from the Opelika plant has replaced some of the Class I sales previously made from the Gadsden plant. The purpose of this shift apparently was to avoid fully regulated status for the Gadsden plant under the Chattanooga order. The handler indicated that he plans to open another plant in northern Georgia which obviously will further divide his fluid operations. In the January 15, 1969, decision (34 F.R. 960), on the then proposed Georgia order, it was found that it is necessary that a plant fully regulated be required to pay class prices for all milk handled whether disposed of inside or outside the marketing area. The findings and conclusions of that decision with respect to the Class I disposition both inside and outside the marketing area are applicable to the situation here considered and are adopted as if set forth in full herein.

2. Amendments to the Chattanooga order—(a) *Revision of location adjustments.* No location adjustments (plus or minus) should be applicable at plants south of either the southern boundary of the State of Tennessee or the northern boundary of the State of South Carolina.

The order now provides for reducing the Class I and uniform prices at plants 65 miles or more, in any direction, from Chattanooga at the rate of 15 cents at plants within 65–75 miles plus an additional 1.5 cents for each additional 10 miles.

The proposal to eliminate minus location adjustments at plants south of Chattanooga was proposed by Chattanooga order producers and handlers and by producers under the Georgia order.

In addition, the same producer associations under the Georgia order would increase the Chattanooga Class I price at plants more than 110 miles south of Chattanooga by 1.5 cents for each 10 miles that such plant is located from that city. The purpose of this proposal was to insure that approximately the same Class I price is applicable under the Georgia and Chattanooga orders at plants in southern Georgia.

Chattanooga, which is near the Tennessee-Georgia border, is the principal population center in the marketing area. Of the 555,000 people (1960 census) in the 16-county marketing area, 368,000 are in the city of Chattanooga and its environs that comprise the Chattanooga metropolitan area. The remainder of the marketing area is principally rural. At present, all producer milk is moved directly from farms to the Chattanooga area for processing, Chattanooga is the major point of distribution in the marketing areas since the six fully regulated plants under the order are in or near the city of Chattanooga.

The Chattanooga market also is depended upon as a principal source of supplemental supplies of Class I milk for Georgia and Alabama handlers who must import more than 30 million pounds of milk annually.

There is substantial overlapping of the procurement and sales areas in northern Georgia of handlers under the Chattanooga and Georgia orders. The elimination of location adjustments at plants south of Chattanooga as herein proposed will improve the alignment of prices under the two orders in an area of competition between the markets and therefore will contribute to orderly marketing.

At no time since the inception of the Chattanooga order in 1956 has any plant more than 110 miles south of Chattanooga been a pool plant under that order. There is no indication that any plant so situated will, in the foreseeable future, qualify as a pool plant under the Chattanooga order. The main alternative sources of plant supply for this market are north of Chattanooga. Areas to the south primarily import rather than export milk. This is because milk produced by dairy farmers shipping to most plants south of Chattanooga is not always adequate for their local Class I needs. There is no basis, therefore, for a plus differential at locations 110 miles south of Chattanooga since this area is not an area where there is need to maintain a source of supply for the Chattanooga market.

A proposal by Chattanooga order handlers would apply location adjustments only at plants north of Chattanooga that are more than 150 miles from the nearer of the city halls in Chattanooga and Knoxville. As proposed, the Class I price would be reduced 22 cents plus 1.5 cents for each 10 miles beyond 150 miles. This proposal was submitted by the same handlers who have requested a hearing to merge the Chattanooga and Knoxville orders and who indicated on the record that their proposal might more appropriately be considered at such a hearing. We agree with this view and therefore no action on it is taken.

(b) *Elimination of supply-demand adjustor.* The supply-demand adjustment provisions should be deleted from the order. As a corollary change, the Class I differential should be increased 20 cents, the average amount that the supply-demand adjustor has contributed to the Class I price in recent years.

The order now provides that the Class I price shall be adjusted monthly to reflect any change in the supply of milk in the market relative to fluid milk sales.

When milk supplies are more than adequate in relation to Class I sales, the Class I price is reduced. Conversely, when supplies are less than adequate relative to sales, the Class I price is increased.

During the 2-year period of 1967 and 1968, the supply-demand adjustment averaged nearly 20 cents. It ranged from a low of minus 2 cents in October 1967 to plus 44 cents in December 1968.

Handlers under both the Chattanooga and Georgia orders proposed to limit supply-demand adjustments to a maximum of 20 cents (plus or minus); the order now has a 50-cent limit. The producer associations under both orders opposed the handler proposal.

Georgia order producers urged the retention of the supply-demand adjustor in the Chattanooga order mainly because it results in an increase in the Georgia Class I price in any month that the Chattanooga supply-demand adjustor is more than 20 cents.

The January 15, 1969, decision on the then proposed Georgia order found that the alignment of prices between the two orders requires that the Class I price in northern Georgia be related to the Chattanooga Class I price. In establishing the Class I differential under the Georgia order, recognition was given to the average plus 20-cent supply-demand adjustment that had been applicable under the Chattanooga order over a representative period.

The Georgia order, which provides for a Class I differential of $2.15 in the "Northern Zone" (the 29 northernmost Georgia counties) and $2.30 elsewhere in the marketing area, also provides that in the Northern Zone the Class I price shall not be less than the Chattanooga Class I price and in the remainder of the marketing area not less than the Chattanooga price plus 15 cents. In those months when the Chattanooga supply-demand adjustment was more than 20 cents, this had the effect of increasing the Georgia Class I price by any amount in excess of 20 cents. For example, in April 1969 the Chattanooga supply-demand adjustment of plus 28 cents resulted in an 8-cent increase in the Georgia Class I price. However, whenever the Chattanooga supply-demand adjustment was below 20 cents, the Chattanooga Class I price was reduced in relation to the Georgia Class I price. In June 1969, when the supply-demand adjustment was minus 2 cents, the Chattanooga Class I price in the Northern Zone was 18 cents less than the Georgia Class I price.[1]

The Chattanooga Class I differential resulting from this decision will be $2.15, the same as that applicable in the Northern Zone of the Georgia order. The handler proposal to retain a supply-demand adjustment provision in the order and limiting the adjustor to 20 cents (plus or minus) would continue a situation in which a lower price can prevail under the Chattanooga order in some months in the Northern Zone than the Georgia Class I price in that area. Therefore, the handler proposal to retain a supply-demand provision in the order with a limit of 20 cents is denied in favor of a stated differential. Removal of the supply-demand adjustor, as herein provided, will insure that the Class I prices under the Georgia and Chattanooga orders will be closely aligned each month. This is appropriate since, as previously stated, there is an extensive overlapping of the sales areas of Chattanooga and Georgia order handlers in northern Georgia.

(c) *Diversion of producer milk.* In any month of September-November a cooperative should be permitted to divert to nonpool plants up to 35 percent of its producer-members' monthly deliveries to all pool plans. Similarly, a pool plant operative should be permitted to divert to to nonpool plants up to 35 percent of producer milk (exclusive of that received from producer-members of a cooperative) physically received at his plant during any such month.

The order now permits diversion of the milk of individual producers for not more than 10 days monthly in August-February. Unlimited diversion is allowed in other months. Milk may now be diverted to any nonpool plant except a producer-handler plant or an other order plant. As provided by this decision, diversions to other order plants would be permitted under certain conditions.

Producers proposed changing the basis for computing the amount of producer milk that may be diverted during the months of August-February from not more than 10 days on an individual producer basis, to 35 percent of the total producer milk of its members received at pool plants during each of the months of September-November. This latter basis, which is commonly applied in a number of Federal milk orders, was not opposed at the hearing.

Diversion provisions are for the purpose of enabling handlers and cooperatives to divert producer milk when it is not needed in the market for Class I purposes, such as on weekends and holidays. The limitations herein proposed will be more practicable than those now contained in the order in accommodating diversion under current marketing conditions and will facilitate the orderly disposition of produce milk.

In the Chattanooga market, the cooperative exercises the responsibility for diverting its members' milk to nonpool plants. Milk not needed by handlers can, of course, be most economically handled by being moved directly from the farm to nearby manufacturing plants. The greatest efficiency in this regard is achieved by diverting the milk from the farms of producers nearest the manufacturing plants. This can be accomplished most practicably if the diversion is in terms of a percentage of the aggregate quantity of milk delivered to pool plants by the cooperative, as herein provided.

A pool plant operator whose source of supply is principally from nonmember producers has no less need for diversion than does a cooperative whose members supply other pool plants. It is appropriate, therefore, that such a handler be permitted to divert nonmember supplies on the same percentage basis as that allowed a cooperative.

Milk diverted to nonpool plants in excess of the 35 percent limitation provided would not be considered producer milk. Hence, eligibility for pricing and pooling under the order would be forfeited on a quantity of milk equal to such excess. In such instances, the diverting handler must specify which milk is ineligible as producer milk. If the handler fails to make such designation, thereby making it infeasible for the market administrator to determine which milk was overdiverted, all milk diverted to nonpool plants by such handler would be made ineligible as producer milk.

It is neither necessary nor feasible to allow handlers to divert the member milk of cooperative associations. TVMPA, which represents about three-fourths of the producers under the order is in a position to divert the milk of its own members. If a proprietary handler dealing with the association does not need all of the member milk he is receiving, he need only notify the association and it can arrange for the diversion of the milk. The cooperative must know at all times how much of its member milk is being diverted so that it will not divert more than the quantities allowed under the diversion provision. If a proprietary handler were allowed to divert cooperative milk also, there would be danger that more cooperative milk would be diverted than is allowed under the diversion limitations. This could result in some milk regularly supplied to the market being excluded from the pool.

Producers contend that because the basis for computing the amount of producer milk that may be diverted is being changed from an individual producer basis to a percentage of the aggregate producer milk deliveries, a producer whose milk is diverted during the month should not be required to deliver any specifed number of days during the month to a pool plant.

As proposed by producers, a dairy farmer could ship his entire production throughout the year to a nonpool plant as diverted milk and have it pooled under the order. This could result in the the exploitation of the pool not only by cooperatives and handlers now under the order but also by others who are not now associated with the market.

Only milk regularly associated with the market should be eligible for diversion to nonpool plants. Milk that is delivered continuously to a nonpool plant, whether for Class I or manufacturing uses, cannot properly be considered a part of the supply for the Chattanooga market. It is necessary, therefore, that an appropriate standard be specified in the order for establishing a dairy farmer's continuing association with the Chattanooga market to qualify his milk for diversion to nonpool plants.

Since the diversion of producer milk would, by this decision, be based on a percentage of the aggregate producer deliveries, the number of days that a producer's milk should be received at a pool

[1] Official notice is taken of the Chattanooga market administrator's monthly price announcements for March through June 1969.

plant during the September–November period of limited diversion should be minimal. It is appropriate, therefore, to provide that not less than 4 days' production of a producer be delivered to a pool plant during the month in September–November to qualify all his production in the same month for diversion within the limits proposed herein.

If less than 4 days' production of a producer is delivered to a pool plant during the month in September–November, then only that quantity of milk delivered to a nonpool plant that is not greater than the quantity delivered to a pool plant would be considered producer milk. These requirements are sufficient under current conditions to permit the necessary flexibility for milk not needed for fluid use.

Substantial quantities of milk are moved between Chattanooga order pool plants and fully regulated plants under the Georgia order. When milk is not needed at Georgia plants, it is moved to the Chattanooga plant of the Tennessee Valley Milk Producers Association for manufacturing. Such shipments from a Georgia pool plant to a Chattanooga order plant are priced and pooled as Class II under the Georgia order. The Georgia order now facilitates the movement of such milk whether moved from a plant or moved directly from the farm of a Georgia producer as diverted milk to an other order plant.

The movement of milk to Chattanooga order pool plants from Georgia and other Federal order markets should be facilitated by permitting the milk of producers under any other order to be diverted to a Chattanooga order pool plant for manufacturing purposes without losing its producer milk status under the other order. This would be appropriately accomplished by providing that a person would not be a producer under the Chattanooga order with respect to milk that is (1) physically received at a pool plant as diverted milk from an other order plant; (2) designated for Class II under the Chattanooga order; and (3) subject to the pricing and pooling provisions of another Federal order. Such a provision governing the movement of milk for manufacturing purposes from an other order plant to a pool plant will contribute to orderly marketing.

When the milk of producers regularly associated with the Chattanooga market is not needed for Class I purposes, its disposal for manufacturing purposes to nonpool plants should be facilitated. In some instances, an other order plant may be the most suitable outlet for such surplus milk. It would be appropriate, therefore, to provide that milk may be moved directly from the farm of a Chattanooga order producer as diverted milk to an other order plant when such milk is classified as Class II (or a comparable class under that order) and is not subject to the pricing and pooling provisions of that order as producer milk.

Rulings on Proposed Findings and Conclusions

Briefs and proposed findings and conclusions were filed on behalf of certain interested parties. These briefs, proposed findings and conclusions and the evidence in the record were considered in making the findings and conclusions set forth above. To the extent that the suggested findings and conclusions filed by interested parties are inconsistent with the findings and conclusions set forth herein, the requests to make such findings or reach such conclusions are denied for the reasons previously stated in this decision.

General Findings

The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid orders and of the previously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) The tentative marketing agreements and the orders, as hereby proposed to be amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(b) The parity prices of milk as determined pursuant to section 2 of the Act are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the marketing area, and the minimum prices specified in the proposed marketing agreements and the orders, as hereby proposed to be amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(c) The tentative marketing agreements and the orders, as hereby proposed to be amended, will regulate the handling of milk in the same manner as, and will be applicable only to persons in the respective classes of industrial and commercial activity specified in, a marketing agreement upon which a hearing has been held.

Recommended Marketing Agreements and Orders Amending the Orders

The following order amending the orders as amended regulating the handling of milk in the Georgia and Chattanooga, Tenn., marketing areas is recommended as the detailed and appropriate means by which the foregoing conclusions may be carried out. The recommended marketing agreement is not included in this decision because the regulatory provisions thereof would be the same as those contained in the order, as hereby proposed to be amended:

In Part 1007.6. Milk in the Georgia Marketing Area, § 1007.6 is revised to read as follows:

§ 1007.6 Georgia marketing area.

The "Georgia marketing area", hereinafter called the "marketing area", means all the territory, including all waterfront facilities connected therewith, geographically within the boundaries of the State of Georgia except the counties of Catoosa, Chattooga, Dade, Fannin, Murray, Rabun, Walker, and Whitfield. The marketing area shall include all territory that is occupied by government (municipal, State, or Federal) reservations, installations, institutions, or other similar establishments if any part of such territory is within the designated geographical limits of the marketing area.

1. In Part 1090. Milk in the Chattanooga, Tenn., Marketing Area, § 1090.6 is revised to read as follows:

§ 1090.6 Producer.

"Producer" means any approved dairy farmer, except a producer-handler as defined in any order (including this part) issued pursuant to the Act, whose milk is physically received at a pool plant or diverted pursuant to § 1090.11 from a pool plant to a nonpool plant. "Producer" shall not include an approved dairy farmer with respect to milk that is physically received at a pool plant as diverted milk from an other order plant if a Class II classification under this order is designated for such milk and it is subject to the pricing and pooling provisions of another order issued pursuant to the Act.

2. Section 1090.11 is revised to read as follows:

§ 1090.11 Producer milk.

"Producer milk" means the skim milk and butterfat contained in milk:

(a) Received at a pool plant directly from a producer; or

(b) Diverted from a pool plant to a nonpool palnt (except a producer-handler plant);

subject to the following conditions:

(1) Such milk shall be deemed to have been received by the diverting handler at the plant from which diverted;

(2) In any month of September through November that less than 4 days' production of a producer is delivered to pool plants, the quantity of milk of the producer diverted during the month that exceeds that delivered to pool plants shall not be deemed to have been received at a pool plant and shall not be producer milk;

(3) Milk may be diverted to an other order plant only if a Class II classification (or its equivalent) is designated for such milk pursuant to the provisions of another order issued pursuant to the Act and such milk is not subject to the pricing and pooling provisions of such orders;

(4) A cooperative association may divert for its account the milk of any member-producer: *Provided,* That in any month of September through November the total quantity of milk so diverted that exceeds 35 percent of the milk physically received from member-producers at all pool plants during the month shall not be deemed to have been received at a pool plant and shall not be producer milk;

(5) The operator of a pool plant, other than a cooperative association, may divert for his account the milk of any

producer other than a member of a cooperative association: *Provided,* That in any month of September through November the total quantity of milk so diverted that exceeds 35 percent of the milk physically received at such pool plant during the month from producers who are not members of a cooperative association shall not be deemed to have been received at a pool plant and shall not be producer milk; and

(6) The diverting handler shall designate the dairy farmers whose milk is not producer milk pursuant to subparagraphs (4) and (5) of this paragraph. If the handler fails to make such designation, no milk diverted by him shall be producer milk.

3. Section 1090.51(a) is revised to read as follows:

§ 1090.51 Class prices.

* * * * *

(a) *Class I milk price.* The price per hundredweight for Class I milk for the month shall be the basic formula price for the preceding month plus $1.95 and plus 20 cents.

* * * * *

4. Section 1090.53(a) is revised to read as follows:

§ 1090.53 Location adjustments to handlers.

(a) The Class I price for producer milk and other source milk (for which a location adjustment is applicable) at a plant that is north of either the southern boundary of the State of Tennessee or the northern boundary of the State of South Carolina and more than 65 miles (by the shortest hard-surfaced highway distance as determined by the market administrator) from the city hall in Chattanooga shall be reduced 15 cents and an additional 1.5 cents for each 10 miles or fraction thereof in excess of 75 miles (by the shortest hard-surface highway distance as determined by the market administrator) that such plant is from the city hall in Chattanooga; and

* * * * *

Signed at Washington, D.C., on August 28, 1969.

JOHN C. BLUM,
Deputy Administrator
Regulatory Programs.

[F.R. Doc. 69-10456; Filed, Sept. 2, 1969; 8:47 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[21 CFR Part 22]

FOOD FLAVORINGS

Vanilla Powder, Identity Standard; Optional Use of Gum Acacia

Notice is given that a petition has been filed by Flavor and Extract Manufacturers' Association of the United States, 1001 Connecticut Avenue NW., Washington, D.C. 20036, proposing that the standard of identity for vanilla powder (21 CFR 22.8) be amended to permit the optional addition of gum acacia.

Grounds given in support of the proposal are that (1) the use of this substance would be advantageous in the manufacture of certain spray-dried powders as an encapsulating agent, and (2) the protective effect carries over into the products in which the spray-dried flavor is used.

Accordingly, it is proposed that § 22.8 (a) be amended by adding thereto a new subparagraph (6), as follows:

§ 22.8 Vanilla powder; identity; label statement of optional ingredients.

(a) * * *

(6) Gum acacia.

* * * * *

Due to cross-reference, adoption of the proposed amendment to the standard for vanilla powder (§ 22.8) would have the effect of making gum acacia a permitted ingredient in vanilla-vanillin powder (§ 22.9).

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (secs. 401, 701, 52 Stat. 1046, 1055, as amended 70 Stat. 919, 72 Stat. 948; 21 U.S.C. 341, 371) and in accordance with the authority delegated to the Commissioner of Food and Drugs (21 CFR 2.120), all interested persons are invited to submit their views in writing (preferably in quintuplicate) regarding this proposal within 60 days following the date of publication of this notice in the FEDERAL REGISTER. Such views and comments should be addressed to the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington, D.C. 20201, and may be accompanied by a memorandum or brief in support thereof.

Dated: August 22, 1969.

J. K. KIRK,
Associate Commissioner
for Compliance.

[F.R. Doc. 69-10434; Filed, Sept. 2, 1969; 8:45 a.m.]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[14 CFR Part 71]

[Airspace Docket No. 69-SO-68]

CONTROL ZONE AND TRANSITION AREA

Proposed Alteration

The Federal Aviation Administration is considering an amendment to Part 71 of the Federal Aviation Regulations that would alter the Huntsville, Ala., control zone and transition area.

Interested persons may submit such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Federal Aviation Administration, Area Manager, Memphis Area Office, Air Traffic Branch, Post Office Box 18097, Memphis, Tenn. 38118. All communications received within 30 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the Chief, Air Traffic Branch. Any data, views, or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official docket will be available for examination by interested persons at the Federal Aviation Administration, Southern Regional Headquarters, Room 724, 3400 Whipple Street, East Point, Ga.

The Huntsville control zone described in § 71.171 (34 F.R. 4557) would be redesignated as:

Within a 5-mile radius of Huntsville-Madison County Airport (lat. 34°38'19" N., long. 86°46'25" W.); within 2 miles each side of the Huntsville ILS localizer north course, extending from the 5-mile radius zone to 2.5 miles south of Capshaw RBN; within 2 miles each side of the Huntsville VOR 217° radial, extending from the 5-mile radius zone to 0.5 mile southwest of the VOR; within a 5-mile radius of Redstone AAF (lat. 34°40'29" N., long. 86°40'54" W.); within 2 miles each side of the 352° bearing from Whitesburg RBN, extending from the 5-mile radius zone to the RBN; within 2 miles each side of the 356° bearing from Redstone RBN, extending from the 5-mile radius zone to 2 miles north of the RBN; within 2.5 miles each side of Runway 35 extended centerline, extending from the threshold to 5.5 miles south; within 2.5 miles each side of Runway 17 extended centerline, extending from the threshold to 6 miles north.

The Huntsville transition area described in § 71.181 (34 F.R. 4637) would be redesignated as:

That airspace extending upward from 700 feet above the surface within a 15.5-mile radius of Redstone AAF (lat. 34°40'29" N., long. 86°40'54" W.); within 3 miles each side of Huntsville ILS localizer north course, extending from the Capshaw RBN to 8.5 miles north of the RBN; within 3 miles each side of Huntsville ILS localizer south course, extending from the localizer to 14.5 miles south; within an 8.5-mile radius of Pryor Field (lat. 34°39'09" N., long. 86°56'45" W.); within 9.5 miles west and 4.5 miles east of the Decatur VOR 351° radial, extending from the VOR to 18.5 miles north.

The application of Terminal Instrument Approach Procedures (TERPs) and current airspace criteria to the Huntsville terminal complex requires the following actions:

1. *Control zone.*

a. A 4.5-mile reduction in the length of the extension predicated on the Huntsville VOR 217° radial.

b. A 1-mile reduction in the length of the extension predicated on the 356° bearing from Redstone RBN.

c. A 1-mile increase in the length of the extension predicated on the 352° bearing from Whitesburg RBN.

d. Designate extensions predicated on Redstone AAF Runway 35 and Runway 17 extended centerlines.

e. Revoke extensions predicated on Huntsville VOR 220° radial, Huntsville ILS south course, and Decatur VOR 093° radial.

2. *Transition area.*

a. Increase the Pryor Field basic radius circle from 6 to 8.5 miles.

b. Increase the Redstone AAF basic radius circle from 15 to 15.5 miles.

c. Designate an extension predicated on the Huntsville ILS north course.

d. Increase the extension predicated on the Decatur VOR 351° radial 1 mile in width and 6.5 miles in length.

e. Increase the length of the extension predicated on the Huntsville ILS south course 0.5 mile.

f. Revoke the extension predicated on the 356° bearing from Redstone RBN.

The proposed redesignation of controlled airspace in the Huntsville terminal complex is required to provide controlled airspace protection for IFR operations in climb to 1,200 feet above the surface and in descent below 1,500 feet above the surface.

This amendment is proposed under the authority of section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348(a)) and of section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Issued in East Point, Ga., on August 21, 1969.

JAMES G. ROGERS,
Director, Southern Region.

[F.R. Doc. 69-10452; Filed, Sept. 2, 1969; 8:46 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 73]

[Docket No. 18649; FCC 69-939]

CERTAIN FM BROADCAST STATIONS

Table of Assignments

In the matter of amendment of § 73.202, Table of Assignments, FM broadcast stations. (Atlanta, Tex., La Grange, Tex., Lake Village, Ark., Waverly, Iowa, Tomahawk, Wis., Avon Park, Fla., Durand, Wis., Grayling, Mich., Canton, Mo., Willow Springs, Mo., Weslaco, Tex., and Laredo, Tex.), RM-1437, RM-1440 RM-1445, RM-1446, RM-1447, RM-1448, RM-1459, RM-1461, RM-1467, RM-1468.

1. Notice is hereby given of proposed rule making in the above-entitled matter, concerning amendments of the FM Table of Assignments contained in section 73.202 of the Commission's rules. All proposed assignments are alleged and appear to meet the spacing requirements of the rules. Any proposed assignments which are within 250 miles of the United States-Canadian border will require coordination with the Canadian Government under the terms of the Canadian-United States Agreement of 1947 and the Working Arrangement of 1963. All population figures are from the 1960 U.S. Census.

2. *RM-1437, Atlanta, Tex. (Ark-La-Tex Broadcasting Co.); RM-1440, La Grange, Tex. (Lloyd E. Kolbe, d.b.a. Radio Station KVLG); RM-1445, Lake Village, Ark. (Gene R. Smith); RM-1446, Waverly, Iowa. (Cedar Valley Broadcasting Co.); RM-1447, Tomahawk, Wis. (Tomahawk Broadcasting Co.); RM-1448, Avon Park, Fla. (Avon Electronic Services, Inc.); RM-1461, Durand, Wis. (Radio Station WRDN); RM-1467, Grayling, Mich. (Robert D. Ditmer); RM-1468, Canton, Mo. (Francis L. Hollan).* In these nine cases, interested parties seek the addition of a Class A channel to a community presently having no FM assignment and without requiring any other changes in the table. The communities range in size from 2,015 persons for Grayling, Mich., to 6,357 persons for Waverly, Iowa. The following communities each has one daytime-only AM station: Atlanta, Tex.; La Grange, Tex.; Waverly, Iowa; Tomahawk, Wis.; and Durand, Wis. The remaining communities have no local AM service. In the case of Durand, Wis., a site will have to be selected about 3.5 miles out of the city to meet the required minimum spacings. None of the communities is in a 1960 Urbanized Area, and each assignment appears to be warranted. Comments are therefore invited on the additions to the table listed below:

City	*Channel No.*
Atlanta, Tex	257A
La Grange, Tex	285A
Lake Village, Ark	240A
Waverly, Iowa	257A
Tomahawk, Wis	261A
Avon Park, Fla	292A
Durand, Wis	[1] 240A
Grayling, Mich	261A
Canton, Mo	272A

[1] A site about 3.5 miles south of Durand would be required in order to meet the minimum spacing requirements of the rules for Channel 240A.

3. *RM-1459, Willow Springs, Mo.* On May 21, 1969, Stereo Broadcasting, Inc., licensee of Station KTXR(FM), Springfield, Mo., filed a petition requesting the substitution of Channel 261A for 265A at Willow Springs, Mo. The purpose of the proposal is to avoid a short spacing between a proposed new site for KTXR (FM) on Channel 268 and the adjacent channel assignment at Willow Springs. No application is pending for Channel 265A at Willow Springs. Stereo submits that it proposes to move the KTXR site to the site of KMTC(TV), Springfield, in order to increase power and antenna height so as to provide an improved service area. Channel 261A can be assigned to Willow Springs in conformance with all the separation rules and without adversely affecting any other station or assignment. Comments are therefore invited on the following:

City	Channel No.	
	Present	Proposed
Willow Springs, Mo	265A	261A

4. *Weslaco, Tex., and Laredo, Tex.* In addition to the changes proposed by interested parties, the Commission wishes to make changes on its own motion in Weslaco and Laredo, Tex. Assignments were inadvertently made short-spaced between McAllen, Tex. (Channel 245) and Weslaco (Channel 247). We propose to substitute Channel 290 for 247 at Weslaco. Substitution of Channel 286 for 289 at Laredo, Tex., is necessary to accommodate the proposed change at Weslaco. None of the channels involved are occupied and no application is pending for their use. Comments are invited on the following:

City	Channel No.	
	Present	Proposed
Weslaco, Tex	247, 258	258, 290
Laredo, Tex	224A, 264, 289	224A, 264, 286

5. Authority for the adoption of the amendments proposed herein is contained in sections 4(i), 303, and 307(b) of the Communications Act of 1934, as amended.

6. Pursuant to applicable procedures set out in § 1.415 of the Commission's rules, interested persons may file comment on or before October 9, 1969, and reply comments on or before October 20, 1969. All submissions by parties to this proceeding or persons acting in behalf of such parties must be made in written comments, reply comments, or other appropriate pleadings.

7. In accordance with the provisions of § 1.419 of the rules, an original and 14 copies of all comments, replies, pleadings, briefs, and other documents shall be furnished the Commission.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 69-10477; Filed, Sept. 2, 1969; 8:49 a.m.]

INTERSTATE COMMERCE COMMISSION

[49 CFR Part 1002]

[Ex Parte No. 246]

REGULATIONS GOVERNING FEES FOR SERVICES PERFORMED IN CONNECTION WITH LICENSING AND RELATED ACTIVITIES

Extension of Time

AUGUST 28, 1969.

At the request of the Contract Carriers Conference, American Trucking Association, Inc., an interested party, the time for filing written representations in the above-entitled proceeding has been extended from September 2, 1969, to September 15, 1969.

[SEAL] ANDREW ANTHONY, Jr.,
Acting Secretary.

[F.R. Doc. 69-10484; Filed, Sept. 2, 1969; 8:49 a.m.]

Notices

DEPARTMENT OF STATE

Office of the Secretary

[Delegation of Authority No. 63–E–1]

[Public Notice 313]

CHIEF, ADMINISTRATIVE DIVISION ET AL.

Authority To Sign and Issue U.S. Government Bills of Lading (SF–1103)

By virtue of the authority vested in the Secretary of State by section 4 of the Act of May 26, 1949, as amended (63 Stat. 111; 22 U.S.C. 2658), and by virtue of the authority vested in me by section 150 of the Organization Manual of the Department of State (1 FAM 150), Delegation of Authority No. 63–E of July 29, 1966 (Public Notice No. 247, 31 F.R. 10699, Aug. 11, 1966) is amended to delegate the following officials of the Passport Office authority to sign and issue U.S. Government bills of lading and certificates in lieu of lost U.S. Government bills of lading. The authority hereby delegated is subject to any specific limitations indicated below and to all instructions, regulations and directives which are now in effect or which may be issued hereafter by the Department of State or by any other Government agency of competent juridiction governing the signing and issuing of U.S. Government bills of lading (SF–1103).

BUREAU OF SECURITY AND CONSULAR AFFAIRS

Passport Office:
Chief, Administrative Division.
Chief, Operations Branch.
Office Services Manager.
Office Services Assistant.

Limitation. Chargeable to funds available for Passport Office operations.

For the Secretary of State.

JOHN H. BURNS,
Acting Deputy Under Secretary of State for Administration.

[F.R. Doc. 69–10448; Filed, Sept. 2, 1969; 8:46 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

SUPERINTENDENT, PINE RIDGE AGENCY

Delegation of Authority

AUGUST 27, 1969.

The Superintendent of the Pine Ridge Agency is hereby authorized to exercise all authority delegated to the Commissioner of Indian Affairs by the Secretary of the Interior in Amendment 84 to Secretarial Order 2508 and vested in the Secretary by sections 3(b) and 4 of the Act of August 8, 1968 (82 Stat. 663), which authorizes the purchase of lands within the Badlands Air Force Gunnery Range by the former Indian and non-Indian owners; the acquisition by former Indian owners of life estates in national monument lands formerly owned by them; the acquisition of lieu lands when lands formerly owned by them are not available or are not desired by them for reacquisition; and provides for conveyance of title to the former owners.

T. W. TAYLOR,
Acting Commissioner.

[F.R. Doc. 69–10437; Filed, Sept. 2, 1969; 8:45 a.m.]

Bureau of Land Management

CALIFORNIA

Amendment of Notice of Proposed Withdrawal and Reservation of Lands

The Bureau of Land Management has amended its application for withdrawal by deleting the following described lands:

LASSEN GEOTHERMAL AREA

MOUNT DIABLO MERIDIAN

T. 29 N., R. 4 E.,
Sec. 19, S½SW¼SW¼NE¼SW¼, SW¼SE¼SW¼NE¼SW¼, SE¼SE¼NE¼SE¼SW¼, W½E½NW¼SE¼SW¼, W½W½SE¼SW¼, W½NE¼SW¼SE¼SW¼, SE¼SW¼SE¼SW¼, NE¼SE¼SE¼SW¼, E½NW¼SE¼SE¼SW¼, S½SE¼SE¼SW¼, NE¼NE¼SW¼SE¼, NE¼NW¼NE¼SW¼SE¼, S½NW¼NE¼SW¼SE¼, SW¼NE¼SW¼SE¼, N½SE¼NE¼SW¼SE¼, SE¼NE¼NW¼SW¼SE¼, S½NW¼SW½SE¼, SW¼SW¼SE¼, W½SE¼SW¼SE¼, S½S½SE¼SE¼SW¼SE¼, W½W½NW¼NW¼SE¼SE¼, W½NW¼SW¼NW¼SE¼SE¼;
Sec. 30, N½N½N½NW¼NE¼, NE¼NW¼.

The area described aggregates approximately 102.80 acres of national forest lands in Tehama County.

Pursuant to the regulations contained in 43 CFR, Subpart 2311, at 10 a.m. on September 3, 1969, the segregative effect of the revised application of March 24, 1967, amended on April 12, 1967, will be terminated as to the foregoing lands.

JOHN O. CROW,
Associate Director.

AUGUST 27, 1969.

[F.R. Doc. 69–10472; Filed, Sept. 2, 1969; 8:48 a.m.]

[S 2701]

CALIFORNIA

Notice of Proposed Classification of Public Lands for Transfer Out of Federal Ownership

1. Pursuant to the Act of September 19, 1964 (43 U.S.C. 1412) and to the regulations in 43 CFR, Parts 2410 and 2411, it is proposed to classify the public land described in paragraph 3 for transfer out of Federal ownership under public land exchange laws of the United States and in aid of the land acquisition program of the Redwood National Park, Act of October 2, 1968 (82 Stat. 931).

2. Publication of this notice has the effect of segregating the following described public lands from all forms of disposal under the public land laws, including the mining laws, except the form or forms of disposal for which it is proposed to classify the lands. However, publication does not alter the applicability of the public land laws governing the use of the lands under lease, license, or permit, or govern the disposal of their mineral and vegetative resources, other than under the mining laws.

3. The below-described lands proposed to be classified for disposal are located in Del Norte and Humboldt Counties. Maps and other information are available for inspection in the Ukiah District Office. Parties who owned lands taken in Redwood National Park have demonstrated an interest in acquiring the below lands as partial or complete compensation.

DEL NORTE AND HUMBOLDT COUNTIES

HUMBOLDT MERIDIAN

Land Description:

T. 15 N., R. 1 E.,
Sec. 1, lot 1 and SE¼NE¼.
8013 acres.

T. 3 N., R. 2 E.,
Sec. 1, lots 1, 2, 3, 4, 5, and 8;
Sec. 2, lots 2, 3, 4, 5, 6, 7, and N½SE¼.
601.41 acres.

T. 4 N., R. 2 E.,
Sec. 25, S½SE¼.
80 acres.

T. 11 N., R. 2 E.,
Sec. 26, NW¼SW¼.
40 acres.

T. 13 N., R. 2 E.,
Sec. 16, SW¼NE¼, SE¼SE¼.
80 acres.

T. 15 N., R. 2 E.,
Sec. 18, NE¼.
160 acres.

T. 3 N., R. 3 E.,
Sec. 6, lots 1 and 2, SE¼NW¼, W½SE¼.
199.19 acres.

T. 4N., R. 3 E.,
Sec. 31, lot 2, SE¼NW¼, NW¼SE¼, SE¼SE¼.
162.35 acres.

T. 7 N., R. 3 E.,
Sec. 4, SW¼SE¼;
Sec. 8, NE¼NE¼;
Sec. 9, NW¼NE¼, SE¼NE¼, N½NW¼, SW¼NW¼;
Sec. 14, SE¼NW¼.
320 acres.

T. 10 N., R. 3 E.,
Sec. 21, SW¼SW¼;
Sec. 31, NE¼NE¼.
80 acres.

T. 11½ N., R. 3 E.,
Sec. 31, lots 1, 2, 3, and 4;
Sec. 32, lots 1, 2, 3, and 4;
Sec. 33, lots 1, 2, 3, and 4;
Sec. 34, lots 1, 2, 3, and 4;
Sec. 35, lots 1, 2, 3, and 4.
786.40 acres

T. 12 N., R. 3 E.,
Sec. 28, NE¼NE¼.
40 acres

T. 3 N., R. 4 E.,
Sec. 8, SE¼SW¼.
40 acres

T. 4 N., R. 4 E.,
Sec. 17, NE¼SW¼;
Sec. 21, SE¼SE¼;
Sec. 22, SW¼SW¼.
120 acres

T. 5 N., R. 4 E.,
Sec. 30, SW¼SE¼;
Sec. 32, NE¼SW¼.
80 acres

T. 3 N., R. 5 E.,
Sec. 18, lots, 3, 4, and E½SE¼.
166.33 acres

The lands described above approximate 3,035.81 acres.

4. For a period of 60 days from the date of publication of this notice in the FEDERAL REGISTER, all persons who wish to submit comments, suggestions, or objections in connection with the proposed classification may present their views in writing to the Ukiah District Manager, 168 Washington Avenue, Ukiah, Calif. 95482.

5. A public hearing on this proposed classification will be held if sufficient interest is demonstrated.

E. J. PETERSEN,
Acting State Director.

[F.R. Doc. 69-10480; Filed, Sept. 2, 1969; 8:49 a.m.]

Fish and Wildlife Service

BRETON NATIONAL WILDLIFE REFUGE

Notice of Public Hearing Regarding Wilderness Proposal

Notice is hereby given in accordance with provisions of the Wilderness Act of September 3, 1964 (Public Law 88-577; 78 Stat. 890-896; 16 U.S.C. 1131-1136), that a public hearing will be held beginning at 9 a.m. on November 12, 1969, at the St. Bernard Courthouse, Annex, Jury Room, Chalmette, St. Bernard Parish, La., on a proposal leading to a recommendation to be made to the President of the United States by the Secretary of the Interior, regarding the desirability of including the Breton Wilderness Proposal within the National Wilderness Preservation System. The wilderness proposal consists of approximately 9,432 acres within Breton National Wildlife Refuge, and is located in St. Bernard and Plaquemines Parishes, State of Louisiana.

A brochure containing a map and information about the Breton Wilderness proposal may be obtained from the Refuge Manager, Gulf Islands National Wildlife Refuge, Post Office Box 165, Biloxi, Miss. 39533, or the Regional Director, Bureau of Sport Fisheries and Wildlife, Peachtree-Seventh Building, Atlanta, Ga. 30323.

Individuals or organizations may express their oral or written views by appearing at this hearing, or they may submit written comments for inclusion in the official record of the hearing to the Regional Director at the above address by December 27, 1969.

JOHN S. GOTTSCHALK,
Director, Bureau of Sport Fisheries and Wildlife.

AUGUST 28, 1969.

[F.R. Doc. 69-10436; Filed, Sept. 2, 1969; 8:45 a.m.]

National Park Service

NATIONAL REGISTER OF HISTORIC PLACES

Additions, Deletions, and Corrections

By notice in the FEDERAL REGISTER of February 25, 1969, at page 2582, there was published a list of the properties included in the National Register of Historic Places. This list has been amended by notices in the FEDERAL REGISTER on April 2 (34 F.R. 6018-19), May 6 (34 F.R. 7338), June 3 (34 F.R. 8713-14), June 28 (34 F.R. 10007-8), and August 5 (34 F.R. 12722-23).

Further notice is hereby given that certain amendments or revisions, in the nature of additions, deletions, or corrections to the previously published list are adopted as set out below.

It is the responsibility of all Federal agencies to take cognizance of the properties included in the National Register as herein amended and revised in accordance with section 106 of the National Historic Preservation Act of 1966, 80 Stat. 915, 16 U.S.C. 470.

The following properties have been added to the National Register since August 5, 1969:

MAINE

Cumberland County

Falmouth Street, University of Maine in Portland campus.

MISSOURI

Saline County

Gumbo Point Archeological Site, SE¼SE¼, NE¼, sec. 11, SW¼, NW¼, sec. 12, T. 51L, R. 23W.

SOUTH CAROLINA

Greenville County

Greenville, *Earle Town House,* 107 James Street.
Greenville, *Whitehall,* 310 West Earle Street.

Richland County

Columbia, *Hampton-Preston House,* 1615 Blanding Street.

ERNEST ALLEN CONNALLY,
Chief, Office of Archeology and Historic Preservation.

[F.R. Doc. 69-10394; Filed, Sept. 2, 1969; 8:45 a.m.]

Office of the Secretary

PATRICK N. GRIFFIN

Statement of Changes in Financial Interests

In accordance with the requirements of section 710(b)(6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests during the past 6 months:

(1) None.
(2) None.
(3) None.
(4) None.

This statement is made as of August 22, 1969.

Dated: August 1, 1969.

PAT GRIFFIN.

[F.R. Doc. 69-10481; Filed, Sept. 2, 1969; 8:49 a.m.]

W. I. MARTIN

Statement of Changes in Financial Interests

In accordance with the requirements of section 710(b)(6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests during the past 6 months:

(1) No longer President and Director of Pacific Coast Hemphill Oil Co.
(2) No longer receiving salary and bonus as Division Sales Manager of Union Oil Co. Receive monthly retirement pay from Union Oil, and yearly retainer as Independent Marketing Consultant to that firm. I still hold stocks in Union Oil Co. of California, American Life & Casualty Insurance Co., and Canadian Superior Oil Co.
(3) None.
(4) None.

This statement is made as of August 22, 1969.

Dated: July 30, 1969.

W. I. MARTIN.

[F.R. Doc. 69-10482; Filed, Sept. 2, 1969; 8:49 a.m.]

ELLERTON E. WALL

Statement of Changes in Financial Interests

In accordance with the requirements of section 710(b)(6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests during the past 6 months:

(1) None.
(2) None.
(3) Standard Oil Co. of California, 2,803; Erie Technological, Inc., 300; The Upjohn Co., 400; International Telephone & Telegraph, Sold (200); Texas Utilities, Sold (100).
(4) None.

This statement is made as of August 23, 1969.

Dated: August 11, 1969.

E. E. WALL.

[F.R. Doc. 69-10483; Filed, Sept. 2, 1969; 8:49 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of Education

ACCREDITING BODIES AND STATE AGENCIES RECOGNIZED BY THE COMMISSIONER OF EDUCATION AS RELIABLE AUTHORITY FOR THE APPROVAL OF NURSE EDUCATION

List

Pursuant to the Nurse Training Act, as amended (42 U.S.C. 298(b)), the U.S. Commissioner of Education hereby publishes a list of recognized accrediting bodies, and of State agencies, which he determines to be reliable authority as to the quality of training offered. This list supersedes the list previously promulgated by the Commissioner of Education on February 28, 1969, 34 F.R. 3639.

REGIONAL ACCREDITING ASSOCIATIONS

Commission on Institutions of Higher Education, Middle States Association of Colleges and Secondary Schools.
Commission on Institutions of Higher Education, New England Association of Colleges and Secondary Schools.
Commission on Colleges and Universities, North Central Association of Colleges and Secondary Schools.
Commission on Higher Schools, Northwest Association of Secondary and Higher Schools.
Commission on Colleges and Universities, Southern Association of Colleges and Schools.
Accrediting Commission for Senior Colleges and Universities, Accrediting Commission for Junior Colleges, Western Association of Schools and Colleges.

NATIONAL SPECIALIZED ACCREDITING ASSOCIATIONS

Board of Review, National League for Nursing, Inc.

STATE AGENCIES

Board of Regents, University of the State of New York.
Montana State Board of Nursing.
West Virginia State Board of Examiners for Registered Nurses.

Any other association or State agency which desires to be included on the list should request inclusion in writing. Each recognized accrediting body or State agency will be reevaluated pursuant to the appropriate criteria: 34 F.R. 643, 644, January 16, 1969.

Dated: August 26, 1969.

JAMES E. ALLEN, Jr.,
U.S. Commissioner of Education.

[F.R. Doc. 69-10433; Filed, Sept. 2, 1969; 8:45 a.m.]

Food and Drug Administration

NATIONAL AGRICULTURAL CHEMICALS ASSOCIATION INDUSTRY TASK FORCE ON TOLERANCES FOR METHANEARSONATE HERBICIDES

Notice of Filing of Petition for Food Additives

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348(b)(5)), notice is given that a petition (FAP OH2444) has been filed by the National Agricultural Chemicals Association Industry Task Force on Tolerances for Methanearsonate Herbicides, 1155 15th Street NW., Washington, D.C. 20005, proposing a tolerance of 0.7 part per million for residues of methanearsonic acid (calculated as elemental arsenic) in cotton seed hulls from application of disodium and monosodium salts of methanearsonic acid as herbicides to the growing crop for which a notice of filing was published in the FEDERAL REGISTER of February 21, 1969 (34 F.R. 2518).

Dated: August 26, 1969.

J. K. KIRK,
Associate Commissioner for Compliance.

[F.R. Doc. 69-10435; Filed, Sept. 2, 1969; 8:45 a.m.]

DEPARTMENT OF TRANSPORTATION

Office of the Secretary

ST. LAWRENCE SEAWAY DEVELOPMENT CORPORATION

Revocation of Notice of Acting Administrator

The designation, issued on April 2, 1969, of the Assistant Administrator, St. Lawrence Seaway Development Corporation to act as Administrator, and to perform the duties and exercise the powers of the Administrator, is hereby revoked.

Issued in Washington, D.C., on August 26, 1969.

SECOR D. BROWNE,
Acting Secretary of Transportation.

[F.R. Doc. 69-10453; Filed, Sept. 2, 1969; 8:47 a.m.]

ATOMIC ENERGY COMMISSION

[Docket No. 50-47]

ARMY MATERIALS AND MECHANICS RESEARCH CENTER

Notice of Issuance of Amended Facility License

No request for a hearing or petition to intervene having been filed following publication of the notice of proposed action in the FEDERAL REGISTER on August 1, 1969 (34 F.R. 12600), the Atomic Energy Commission (the Commission) has issued Amendment No. 8 to Facility License No. R-65 as proposed in that notice. The amendment authorizes the U.S. Department of the Army, Army Materials and Mechanics Research Center at Watertown, Mass., to (1) increase the steady-state operating power level of its pool-type nuclear reactor to a maximum of 5 megawatts (thermal), (2) increase to 12 kilograms the quantity of uranium-235 that may be received, possessed, and used in connection with the operation of the reactor, and receive, possess, and use a 5-curie sealed plutonium-beryllium neutron source, and (3) delete from the license the record-keeping and reporting requirements which have been incorporated in the technical specifications.

The Commission has found that the application for amendment to the facility license complies with the requirements of the Atomic Energy Act of 1954, as amended, and the Commission's regulations published in 10 CFR, Chapter I. The Commission has made the findings which were set forth in the proposed amendment, and has concluded that the issuance of the amendment will not be inimical to the common defense and security or to the health and safety of the public. A copy of the license amendment will be available for inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C., or upon request addressed to the Atomic Energy Commission, Washington, D.C. 20545, Attention: Director, Division of Reactor Licensing.

Dated at Bethesda, Md., this 21st day of August 1969.

For the Atomic Energy Commission.

DONALD J. SKOVHOLT,
Assistant Director for Reactor Operations, Division of Reactor Licensing.

[F.R. Doc. 69-10478; Filed, Sept. 2, 1969; 8:49 a.m.]

[Docket No. 50-243]

OREGON STATE UNIVERSITY

Notice of Issuance of Amended Facility License

No request for a hearing or petition to intervene having been filed following publication of the notice of proposed action in the FEDERAL REGISTER on August 1, 1969 (34 F.R. 12601), the Atomic Energy Commission (the Commission) has issued Amendment No. 2 to Facility License No. R-106 as proposed in that notice. The amendment authorizes the Oregon State University at Corvallis, Oreg., to operate its reactor at steady-state power levels up to a maximum of 1,000 kilowatts (thermal).

The Commission has found that the application for amendment to the facility license complies with the requirements of the Atomic Energy Act of 1954,

as amended, and the Commission's regulations published in 10 CFR, Chapter I. The Commission has made the findings which were set forth in the proposed amendment, and has concluded that the issuance of the amendment will not be inimical to the common defense and security or to the health and safety of the public. A copy of the license amendment will be available for inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C., or upon request addressed to the Atomic Energy Commission, Washington, D.C. 20545, Attention: Director, Division of Reactor Licensing.

Dated at Bethesda, Md., this 21st day of August 1969.

For the Atomic Energy Commission.

DONALD J. SKOVHOLT,
Assistant Director for Reactor Operations, Division of Reactor Licensing.

[F.R. Doc. 69-10479; Filed, Sept. 2, 1969; 8:49 a.m.]

CIVIL AERONAUTICS BOARD

[Agreement CAB 20953]

[Docket No. 20929]

ATAR COMPUTER SYSTEM

Notice of Postponement of Oral Argument

By letter dated August 27, 1969, counsel for ATAR Computer Systems, Inc., has requested that oral argument in the above-entitled matter, presently set for September 3, 1969, be indefinitely postponed pending a resolution of a proposed revision.

Accordingly, the Board has authorized that the oral argument set for September 3, 1969, by ordering paragraph 4 of Order 69-7-74 be postponed until a date to be hereafter determined.

Dated at Washington, D.C., August 28, 1969.

[SEAL] THOMAS L. WRENN,
Chief Examiner.

[F.R. Doc. 69-10489; Filed, Sept. 2, 1969; 8:49 a.m.]

CIVIL SERVICE COMMISSION

DEPARTMENT OF DEFENSE

Notice of Grant of Authority To Make a Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission authorizes the Department of Defense to fill by noncareer executive assignment in the excepted service the position of Principal Research and Project Officer, OASD (Public Affairs).

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[F.R. Doc. 69-10460; Filed, Sept. 2, 1969; 8:47 a.m.]

OFFICE OF ECONOMIC OPPORTUNITY

Notice of Grant of Authority To Make a Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission authorizes the Office of Economic Opportunity to fill by noncareer executive assignment in the excepted service the position of Chief, Research and Planning Division, Office of Public Affairs.

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[F.R. Doc. 69-10461; Filed, Sept. 2, 1969; 8:47 a.m.]

GENERAL SERVICES ADMINISTRATION

Notice of Grant of Authority To Make a Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission authorizes the General Services Administration to fill by noncareer executive assignment in the excepted service the position of Director of Public Affairs, Office of the Assistant Administrator.

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[F.R. Doc. 69-10462; Filed, Sept. 2, 1969; 8:47 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Notice of Grant of Authority To Make a Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission authorizes the Department of Health, Education, and Welfare to fill by noncareer executive assignment in the excepted service the position of Director, Cuban Refugee Program Staff.

UNITED STATES CIVIL SERVICE COMMISSION,
JAMES C. SPRY,
Executive Assistant to the Commissioners.

[F.R. Doc. 69-10463; Filed, Sept. 2, 1969; 8:47 a.m.]

VETERANS ADMINISTRATION

Notice of Grant of Authority To Make a Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission authorizes the Veterans Administration to fill by noncareer executive assignment in the excepted service the position of Staff Assistant to the Administrator, Office of the Administrator.

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[F.R. Doc. 69-10464; Filed, Sept. 2, 1969; 8:47 a.m.]

DEPARTMENT OF AGRICULTURE

Notice of Revocation of Authority To Make Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission revokes the authority of the Department of Agriculture to fill by noncareer executive assignment the position of Deputy Assistant Secretary for International Affairs (Foreign Trade). This position is removed from the excepted service.

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[F.R. Doc. 69-10465; Filed, Sept. 2, 1969; 8:47 a.m.]

DEPARTMENT OF THE NAVY

Notice of Revocation of Authority To Make Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission revokes the authority of the Department of the Navy to fill by noncareer executive assignment in the excepted service the position of Special Assistant to the Under Secretary of the Navy (Civilian Personnel Policy).

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[F.R. Doc. 69-10466; Filed, Sept. 2, 1969; 8:48 a.m.]

OFFICE OF ECONOMIC OPPORTUNITY

Notice of Title Change in Noncareer Executive Assignment

By notice of November 17, 1967, F.R. Doc. 67-13608, the Civil Service Commission authorized the departments and agencies to fill by noncareer executive assignment, certain positions removed from Schedule C of Civil Service Rule VI by 5 CFR 213.3301a on November 17, 1967. This is notice that the title of one such position so authorized to be filled by noncareer executive assignment has been changed from "Assistant Director

for Congressional Relations" to "Associate Director for Congressional and Governmental Relations."

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[F.R. Doc. 69-10467; Filed, Sept. 2, 1969; 8:48 a.m.]

OFFICE OF ECONOMIC OPPORTUNITY

Notice of Title Change in Noncareer Executive Assignment

By notice of November 17, 1967, F.R. Doc. 67-13608, the Civil Service Commission authorized the departments and agencies to fill by noncareer executive assignment, certain positions removed from Schedule C of Civil Service Rule VI by 5 CFR 213.3301a on November 17, 1967. This is notice that the title of one such position so authorized to be filled by noncareer executive assignment has been changed from "Assistant Director for Public Affairs" to "Associate Director for Public Affairs".

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[F.R. Doc. 69-10468; Filed, Sept. 2, 1969; 8:48 a.m.]

U.S. COMMISSION ON CIVIL RIGHTS

Notice of Title Change in Noncareer Executive Assignment

By notice of November 17, 1967, F.R. Doc. 67-13608, the Civil Service Commission authorized the departments and agencies to fill by noncareer executive assignment, certain positions removed from Schedule C of Civil Service Rule VI by 5 CFR 213.3301a on November 17, 1967. This is notice that the title of one such position so authorized to be filled by noncareer executive assignment has been changed from "Director, Field Services Division" to "Assistant Staff Director for the Office of Community Programming".

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[F.R. Doc. 69-10469; Filed, Sept. 2, 1969; 8:48 a.m.]

EDUCATION PROGRAM OFFICER (SPECIAL ASSISTANT FOR URBAN EDUCATION)

Manpower Shortage; Notice of Listing

Under the provisions of 5 U.S.C. 5723, the Civil Service Commission found a manpower shortage on August 6, 1969, for the single position of Education Program Officer (Special Assistant for Urban Education), GS-1720-15, Office of the Commissioner, Office of Education, Department of Health, Education, and Welfare, Washington, D.C. The finding is self-canceling when the position is filled.

Assuming other legal requirements are met, an appointee to this position may be paid for the expense of travel and transportation to first post of duty.

UNITED STATES CIVIL SERVICE COMMISSION,
JAMES C. SPRY,
Executive Assistant to the Commissioners.

[F.R. Doc. 69-10470; Filed, Sept. 2, 1969; 8:48 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 18294; FCC 69-872]

INTERNATIONAL TELECOMMUNICATION UNION

Fifth Notice of Inquiry Relating to Preparation for a World Administrative Radio Conference

In the matter of an inquiry relating to preparation for a World Administrative Radio Conference of the International Telecommunication Union on matters pertaining to the radio astronomy and space services.

1. The Commission adopted its third notice of inquiry in this proceeding on November 14, 1968, calling for responses on or before December 18, 1968. On December 13, 1968, on its own motion, the Commission adopted an order extending the comment period to January 17, 1969. On February 19, 1969, the Commission adopted its fourth notice in this proceeding, indicating further developments in the preparatory work for the World Administrative Radio Conference (WARC) now scheduled to convene June 7, 1971, in Geneva.[1] The proposals therein, developed in continued consultation with the Office of Telecommunications Management (OTM), included a number of suggested changes in the international Table of Frequency Allocations and in pertinent parts of the Radio Regulations relating thereto. It is the purpose of this fifth notice to deal with comments filed in response to both the third and fourth notices of inquiry; to propose additional changes to the Table and to related Radio Regulations; and to present the recommended preliminary views of the United States relative to the forthcoming Space WARC of the ITU.

2. The preliminary views attached have been transmitted to the Department of State by the Commission and by the Director of Telecommunications Management (DTM) with recommendations that they be distributed abroad to other administrations to elicit their reactions and comments.

[1] Filed as part of the original document.

3. Comments in response to the Commission's third notice of inquiry were filed by the following:

Association of American Railroads (AAR).
American Petroleum Institute (API).
Land Mobile Communication Section, Industrial Electronics Division, Electronic Industries Association (EIA-LM).
National Committee for Utilities Radio (NCUR).
Association of Maximum Service Telecasters, Inc. (AMSTI).
Joint Council of Educational Telecommunications (JCET).
National Association of Broadcasters (NAB).
National Association of Educational Broadcasters (NAEB).
CBS Television Network Affiliates Association (CBS).
Committee on Radio Frequency Requirements for Scientific Research of the National Academy of Sciences (NAS).
Radio Technical Commission for Marine Services (RTCM).
Aeronautical Radio, Inc., and Air Transportation Association of America (ARINC/ATA).
Aerospace & Flight Test Radio Coordinating Council (AFTRCC).
Satellite Telecommunications Subdivision, Industrial Electronics Division, Electronic Industries Association (EIA-SAT).
Microwave Communications Section, Electronic Industries Association (EIA).
General Electric Co. (GE).
Radio Corp. of America (RCA).
Communications Satellite Corp. (COMSAT).
American Telephone & Telegraph Co. (ATT).

4. Comments in response to the Commission's fourth notice of inquiry were filed by ARINC/ATA, COMSAT, RTCM, EIA, EIA-SAT, GE, and, for the first time in this proceeding, by Radio Technical Commission for Aeronautics (RTCA).

5. Comments filed in response to the third and fourth notices are treated collectively in the paragraphs that follow. They are discussed on a service-by-service or subject-by-subject basis, as appropriate. Proposals contained in earlier notices have been combined with proposals deriving from the discussion paragraphs to form the attached preliminary views of the U.S.A. which, it is emphasized, is a document formulated and concurred in jointly by the Commission and the DTM.

DEFINITIONS

6. GE and EIA-SAT have proposed amendments in definitions which, if adopted, would have a sweeping effect upon the use of the spectrum by the various radio services. GE proposed that the broadcasting-satellite service, which is now defined as a space service, be redefined as a broadcasting service and that two new services—rural and community broadcasting-satellite services—be defined as subservices of the redefined broadcasting-satellite service. The effect of GE's first proposal would be to grant the broadcasting-satellite service automatic access to any frequency band now allocated to the broadcasting service, i.e., the standard AM band, all high frequency broadcasting bands, the FM and TV bands, as well as the band 11.7-12.7 GHz which is now allocated coequally to the fixed, mobile and broadcasting services on a worldwide basis. GE's proposals

with respect to "rural" and "community" applications relate entirely to a grade of service to be rendered rather than to a radio service requiring definition. The effect of the proposal by EIA-SAT would do for all radio services what GE has proposed for the broadcasting-satellite service. As an example, the fixed service could employ space techniques in any band allocated internationally to the fixed service, whether it be at 14 kHz or 40 GHz.

7. As can be seen, the definition of specific radio services is an important management tool and by a change in definition of a service the allocation table itself can be changed. During the preparatory work for the Space EARC, Geneva, 1963, it was recognized that two approaches could be taken with respect to the use of space communication techniques. One approach was that now suggested by EIA-SAT wherein any defined radio service would be permitted to employ space techniques without a change in definition. That approach was considered and rejected by the United States in its proposals. That approach was also rejected by the Space EARC in favor of the second approach, i.e., defining space services specifically and then allocating specific frequency bands to those services.[2] EIA-SAT would control the use of space techniques in a negative fashion, by footnoting those frequencies or frequency bands in which they would not be employed. Since the vast majority of frequency bands within the allocated spectrum would require such a footnote, no advantage is seen in this proposal. The GE and EIA-SAT proposals with respect to definitions have not been adopted.

BROADCASTING-SATELLITE SERVICE

8. The third notice of inquiry drew comments from AAR, API, EIA–LM, NCUR, AMSTI, JCET, NAB, and NAEB with respect to Dockets Nos. 18261 and 18262 vis-a-vis the proposed footnote accommodation of the broadcasting-satellite service in the frequency band 470–806 MHz. All were silent with respect to the modified proposal in the fourth notice wherein the proposed footnote would apply to the frequency band 614–890 MHz. The last four parties mentioned, however, in response to the third notice commented additionally that there were numerous questions of a policy, technical, legal, political, social, or economic nature that required resolution before any accommodation is proposed for the broadcasting-satellite service. This argument is not found persuasive. The proposal in the fourth notice, which essentially is repeated in the attachment hereto, is intended to provide the option of implementing a broadcasting-satellite service at some point in the future, if it should prove to be in the public interest, and if questions of the type raised in the comments can be resolved. In the interim, it will provide for the accommodation of experimental programs in various parts of the world and permit ample time in which to examine the several questions posed by the respondents. In any event, before such service could be implemented it would be necessary for the implementing administration to obtain the concurrence of other administrations who are concerned or affected.

9. EIA–SAT proposed in response to the third notice that a separate inquiry be instituted with respect to the broadcasting-satellite service. In response to the fourth notice, however, EIA–SAT retracted its earlier proposal and requested that inquiry in this proceeding be directed specifically to various aspects of the broadcasting-satellite service. However, this inquiry, as presently constituted offers ample opportunity for all interested parties to make specific proposals with respect to the broadcasting-satellite service as well as any other space service and several have done so.

10. GE made a number of allocation proposals for the accommodation of the broadcasting-satellite service. In ascending frequency order, the first of these proposed adding a footnote to the high frequency broadcasting bands below 30 MHz which would permit the use of such bands in the broadcasting-satellite service at times when they are not useable for conventional transmission because of propagation conditions, "* * * subject to compliance with Article 9 of the Radio Regulations". The applicability of Article 9 is not readily apparent but, in any event, the overall proposal is considered impracticable. This conclusion is borne out by pertinent CCIR studies as well as by cost-effectiveness studies within the Government agencies concerned.

11. Next proposed by GE was the addition of a footnote to the FM broadcasting band, 88–108 MHz, which would provide for the use of the band by the broadcasting-satellite service "* * * subject to agreement among the administrations having services operating in accordance with the Table, which may be affected." Properly qualified, there is merit to this proposal. Realization of a broadcasting-satellite service in the FM broadcasting band is expected to be technically feasible well in advance of a similar service in the UHF–TV band. Accordingly, logic and consistency dictate that footnote accommodation should be provided within the FM band along the lines of that in the UHF–TV band. However, only that portion of the band between 88 and 100 MHz approaches worldwide standardization insofar as allocations are concerned. Further, the terms of the footnote proposed by GE are unacceptable since they limit the necessary agreement to administrations operating in accordance with the table, whose services may be affected and thus exclude administrations which may be concerned for other reasons. Accordingly, the preliminary views include a proposed footnote in the band 88–100 MHz for the accommodation of FM broadcasting in the broadcasting-satellite service, subject to agreement among administrations concerned and those having services operating in accordance with the table, that may be affected.

12. Proposals with respect to TV broadcasting in the broadcasting-satellite service within the UHF–TV band were many and varied. However, it has been concluded that proposals for inclusion in the preliminary views should not go beyond those contained in the fourth notice of inquiry. In reaching this conclusion, proposals were rejected for exclusive bands; for bands made available on a secondary basis; for provisional allocations; for agreement only among administrations operating in accordance with the table; for agreement among administrations whose territories were subjected to a power flux density in excess of "X" dbW/m²; and the arguments of ARINC/ATA, supported by RTCA, that no proposal in this regard should be made until the issues in Docket No. 18262 are resolved and a report and order issued.

13. Before discussing these several rejections, it appears appropriate to summarize the current state of technology with respect to the proposed UHF–TV broadcasting in the broadcasting-satellite service. Some respondents stated such service is feasible now or will be in the early future. However, it would not be a service as generally rendered today. For example, experimental programs in perhaps 1975 contemplate a TV signal transmission employing FM rather than AM modulation and occupying up to 30 MHz of bandwidth per radio frequency channel as compared to the more conventional 6 MHz of bandwidth. Further, the experiment would entail a single channel from the satellite. This signal would not be usable by a conventional home TV receiver installation, with or without a typical outdoor antenna. First, a more elaborate receiving installation would be required for the relatively weak signal from the satellite and second, a modulation converter would be required to make that signal usable in the conventional TV receiver. This matter was examined recently in the UN Committee on the Peaceful Uses of Outer Space and a report was prepared by a Working Group on Direct Broadcast Satellites. That report, contained in Document A/AC.105/51, dated February 26, 1969, is quoted, in part, below:

> * * * Taking the cost of existing unaugmented receivers as a reference, and assuming mass-production of the order of a million or more units, the extra cost per receiving installation is estimated as being of the order of:
>
> (a) For direct-to-home television broadcasting using augmented receivers: $US 40–$US 270;
>
> (b) For television broadcasting to community or collective receiving arrangements: $US 150.
>
> Clearly, where reception at a very large number of locations is envisioned, the increase in cost in receiving equipment can amount to very large sums; for example, if 10 million home television receivers were already in use, the cost of "augmenting" them for satellite

[2] An exception was made for the aeronautical mobile (R) service since the International Civil Aviation Organization (ICAO) was available to assist in coordinating and standardizing space technique applications in that service.

reception could be from $400 million–$2,700 million.

9. The following general conclusions emerge from this review; all assume that appropriate frequency allocations will have been made; with regard to any of the suggested operational systems, the importance of further prior experimentation cannot be stressed too highly;

(a) While it is considered that satellite technology has reached the stage at which it is possible to contemplate the future development of satellites capable of direct broadcasting to the public at large, direct broadcasting television signals into existing unaugmented home receivers on an operational basis is not foreseen for the period 1970–85. This reflects the lack of technological means to transmit signals of sufficient strength from satellites.

(b) Direct broadcast of television into augmented home receivers could become feasible technologically as soon as 1975. However, the cost factors for both the earth and space segments of such a system are inhibiting factors. For example, the cost to the home owner/consumer who wishes to augment his home receiver (and antenna) while not precisely measurable at this time, appears to be at least $40 (not including cost of installation) and may be considerably more expensive, depending in part, for example, on the frequency employed. Many other factors enter into the cost equation, and in countries lacking large numbers of existing conventional television receivers completely different cost figures apply. As to the space segment, the development and launching of the powerful—therefore heavy—transmitters, which are not yet within the state-of-the-art, involve considerable expenses, which cannot be estimated at this time; the development costs might run as high as $100 million. Therefore, it is most unlikely that this type of system will be ready for deployment on an operational basis until many years after the projected date of feasibility.

14. The rejections referred to in paragraph 12 above were based, in large measure, upon the uncertainty of the overall requirements of the broadcasting-satellite service in the light of the above quoted report, during the time frame for which the forthcoming Space WARC decisions would continue in force. Additionally, however, exclusive or secondary status in particular band segments might well be the terms of agreement among administrations concerned—the proposed footnote accommodation does not preclude that possibility. Further, the "administrations concerned" may be concerned for reasons other than purely allocation matters and even with respect to allocation matters, some administrations—such as the United States—may find it in the public interest to operate services on a national basis which are not completely in accordance with the Table. In the latter case, flux density limits acceptable to TV receivers may very well cause disruptive interference to other types of receivers sharing the same frequency band. As to the arguments of the aviation community, they will be considered with other filings in Docket No. 18262 rather than in this proceeding.

COMMUNITY SERVICE OR COMMUNITY GRADE OF SERVICE

15. The UN Report[3] from which paragraphs 9a and 9b were quoted earlier made reference also to a system for direct television broadcasting via satellite "* * * to community or collective receivers, i.e., more sensitive receiving arrangements serving a school or a small village * * *." Paragraph 9c reached the following conclusion with respect to such community receivers:

(c) Direct broadcast into community receivers could be close at hand. Technology currently under development might allow this in the mid-1970s. Such a system is considered to be less expensive to launch than one intended for reception directly in people's homes. It will also be easier to establish and less expensive for locations where the radio noise level is low.

16. Comments in support of such a "community receiver" concept were filed by JCET, RCA, EIA-SAT and GE, generally in the context of being particularly significant in serving schools and villages in underdeveloped areas. Some proposed that it be defined as a separate subservice of the broadcasting-satellite service on the theory that it would not meet the broadcasting service criterion of being "* * * intended for direct reception by the general public." Clearly, however, it is merely a broadcasting-satellite service wherein, because of current technical limitations, the general public would have to make special effort to take advantage of the service. In other words, it is merely a grade of service rather than a separate radio service and a separate definition is not considered necessary. The international Radio Regulations are silent with respect to both the grade of service and the type of modulation employed in rendering a broadcasting service in frequency bands allocated to that service. Therefore, subject to agreement among the administrations concerned, a broadcasting-satellite service relying upon "community receivers" to serve the general public could be accommodated under the UHF footnote provision in the band 614–890 MHz, without further amendment to the Radio Regulations.

ADDITIONAL SHARING BETWEEN THE COMMUNICATION-SATELLITE AND TERRESTRIAL SERVICES

17. The concept of increased sharing between the communication-satellite service and terrestrial services was supported by many and opposed by none.

[3] The report also concluded it would be desirable for administrations to continue their studies and experimentation with respect to direct broadcasting. It concluded further that, "It is also necessary that the radiofrequency requirements of direct broadcasting from satellites be fully and urgently considered by the ITU and that the necessary provisions be made for this service * * *, if direct broadcasting from satellites is to be accommodated on an operational basis."

Included in this consensus was the accommodation of demand-assignment multiple-access (DAMA), low demand users in remote areas. As a result, proposals in the preliminary views look to the additional accommodation of: 1) DAMA systems in the bands 2150–2200 MHz (space-to-earth) and 2500–2550 MHz (earth-to-space) for the communication-satellite service sharing coequally with the fixed and mobile services; 2) space-to-earth and earth-to-space allocations respectively, in the bands 6625–7125 MHz and 11.7–12.2 GHz, wherein the communication-satellite service would share coequally with the fixed and mobile services in the lower band and with the fixed, mobile and broadcasting services in the higher band; and 3) coequal sharing at 17.7–19.7 and 27.8–29.8 GHz between the communication-satellite, fixed and mobile services, with the direction of transmission unspecified in the communication-satellite service.

18. With respect to allocation proposals for the communication-satellite service, EIA-SAT, in its responses to both the third and fourth notices expressed the view that special attention should be given to what they choose to term "one-way communications", such as in the case of the distribution of TV program material, and requested clarification as to whether this would or would not be eligible in the communication-satellite service. No. 84AG, the definition of the communication-satellite service, clearly encompasses communications of this type. It is not clear, however, that the same definition covers the case of transmissions of program material from earth to a satellite for retransmission to the general public from that same satellite in a band allocated to the broadcasting satellite service. Two suggestions for overcoming this deficiency are shown on page 7 of the preliminary views. Comments with respect to those suggestions, as well as additional alternatives, are invited.

DATA RELAY SERVICE

19. RTCM proposed that VHF provisions be included in the radiofrequency complement for the development of a worldwide meteorological and oceanographic data buoy system using satellite relay techniques. Comsat proposed a common service for different types of users having a requirement for the transfer of data from remote stations to a central station. In their view, the potential applications of such a service include: Meteorological; hydrological; oceanographic; geophysical; forestry; oil and gas and various utilities. To meet the frequency needs of such a system, Comsat recommended a 100 kHz band anywhere in the 137–138 MHz band for the down-link and a 100 kHz band in the 400.05–402 MHz band for the up-link; plus a 1 MHz band for the down-link in or near 1540–1560 MHz and a 1 MHz

band for the up-link in or near the 1640–1660 MHz band. The system suggested by Comsat is comparable to those planned for the Geostationary Operational Environmental Satellite (GOES) and the Earth Resources Satellite (ERS) which were discussed in detail in the fourth notice of inquiry. Frequency accommodation has not been made for the specific Comsat proposals in this regard.

20. EIA-SAT endorsed the need for improved allocations for wide band data in such services as the meteorological satellite, the earth resources satellite and data relay satellites. It then stated, "* * * We are not able to tell if the proposals relate to experiments for these services, or for an operational service. If operational, the allocations proposed appear grossly inadequate to allow full attainment of the potential of these services. According to information available to us, some 500 MHz of bandwidth is projected; the optimum frequency appears to be from 5–7 GHz, with frequencies up to about 12 GHz being nearly as good." The source of the EIA-SAT estimates is not known. However, since the bandwidths of the systems to which EIA-SAT directed its attention are those recommended by the agencies having primary responsibility for their design and operation, no changes are proposed for their accommodation.

USE OF SPACE TECHNIQUES BY THE AERONAUTICAL AND MARITIME MOBILE SERVICES

21. There was general support for the concept of using space techniques in the aeronautical mobile and maritime mobile services for communications and/or radio determination purposes in the VHF, UHF, and higher bands. There was sharp disagreement on the manner in which these functions should be accommodated. RTCM, RCA, and Comsat generally favored a sharing of bands by the aeronautical and maritime services to enhance the possibility of joint systems while at the same time providing for the possibility of separate systems. ARINC/ATA and RTCA, on the other hand were strongly opposed to the "* * * derogation of any band currently allocated to an aeronautical service in order to accommodate another generic radio service * * *."

22. RTCM, in responding to both the third and fourth notices proposed that the aeronautical band 117.975–136 MHz be paired with the maritime band 156–162 MHz for use by both aeronautical and maritime interests for communication and/or radio determination purposes, using space techniques. Additionally, in its response to the fourth notice, RTCM proposed the pairing of 156–162 and 170–174 MHz for the same purpose, with primary rights for maritime users and secondary rights for aeronautical users. RCA urged that 156–162 MHz be made available for space techniques even if only on a secondary basis. Comsat too supported the use of VHF or low UHF for maritime use because of foreseen antenna problems at higher frequencies. With respect to the frequency band 1540–1660 MHz, RTCM proposed that it be relocated coeually to the aeronautical mobile (R), maritime mobile and radio be reallocated coequally to the aeronautical mobile (R), maritime mobile and radio determination services and that the associated footnote, No. 352B, be expanded to permit the use of space techniques by the maritime mobile service as well as the present aeronautical mobile (R) service, and for radio determination purposes as well as for the present communication purposes. Since that footnote is applicable also to the frequency bands 5000–5250 MHz and 15.4–15.7 GHz, the same expansion of services and permissible uses would ensue in those bands. ARINC/ATA opposed inclusion of radio determination in the band 117.975–136 MHz until and unless its feasibility was determined by tests. ARINC/ATA opposed granting access to other radio services in bands currently allocated for aeronautical purposes, requested that 1540–1660 MHz usage be expanded only to include radio determination by the aeronautical mobile (R) service, and requested that provisions for the use of 5000–5250 MHz and 15.4–15.7 GHz be left unchanged. ARINC/ATA also invited attention to their outstanding petition before the Commission (RM–1201) for a rule change to accommodate airborne collision avoidance systems in the band 1540–1660 MHz, and voiced the opinion that any proposal prior to the resolution of RM–1201 would be premature.

23. RTCA, filing for the first time in this proceeding, in response to the fourth notice essentially echoed comments filed by ARINC/ATA. Its comments with respect to the band 117.975–136 MHz are self-contradictory, however. On the one hand they endorsed fully the comments of ARINC/ATA in response to the third notice, wherein ARINC/ATA stated that proposals to include position determination functions should not be formulated until testing and evaluation to determine the feasibility and desirability of accommodating such functions in the band have been made. RTCA's Recommendation 2 iterates this view by stating: "Maintain the current allocation to the Aeronautical Mobile (R) Services in the bands 117.975 to 132 MHz and 132 to 136 MHz". On the other hand, in the attachment to their comments, entitled "Proposed Changes to the International Radio Regulations," it is proposed that the footnote currently applicable to the band be replaced by one stating: "* * * the use and development of systems using space communication and/or space radio determination techniques is authorized for this service * * *"

24. Additionally, with respect to the bands discussed above and the possible shared use of other bands now allocated for various aeronautical purposes, RTCA expressed the opinion:

> * * * that any consideration of aeronautical UHF band frequency apportionment and/or suballocation would best be accomplished within the framework of the ICAO and that the ITU should continue to look to ICAO for deliberation and resolution of questions and solicit international agreement on such apportionment and/or suballocation.

In similar vein, RTCA recommended modification of ITU footnotes No. 352A and 352B to include equal allocation status in the bands concerned for both aeronautical mobile (R) service and radiodetermination and:

> * * * that these modifications be developed within the historic ICAO framework * * *

25. Presumably again referring to ICAO (International Civil Aviation Organization), RTCA recommended:

> * * * that the determination of mode of emission and spectrum utilization within the frequency bands allocated to the aeronautical services be controlled by the appropriate authorities, and any restrictions to the implementation of such techniques be removed from the present regulations.

26. The quoted comments in paragraphs 24 and 25 above demonstrate a basic misunderstanding with respect to the relative jurisdictions of the ITU and the ICAO. The proposals set forth in the preliminary views, dealing solely with recommended changes to the International Radio Regulations, in our view, are totally within the purview of the ITU.

27. ARINC/ATA and Comsat requested clarification of the position taken by the Commission in its third notice with respect to the frequency band 117.975–136 MHz, wherein it proposed no change with respect to the allocation table or to the associated footnotes. The RTCA filing in response to the fourth notice echoed the ARINC/ATA comments on this point. As pointed out in their comments, the aviation industry has been planning for some time to use this band with space techniques and have contemplated the launching of a satellite to that end in 1970. That planning was undertaken on the strength of No. 273A, a footnote applied to the band by the Space EARC, Geneva, 1963, which permits the use of space communication techniques. Further, that planning was well advanced prior to the time that suggestions were made for the convening of the forthcoming Space WARC. The third notice proposed no change in No. 273A. The consensus of comments filed with respect to this band indicates that it would be undesirable to modify the footnote to include provisions for radiodetermination functions unless and until it has been demonstrated by tests that such accommodation is both feasible and desirable. Footnote No. 273A unchanged is considered sufficiently broad to permit the operations thus far planned for the aeronautical service. It should be noted that the fourth notice also contained no proposal to modify No. 237A and ARINC/ATA and Comsat comments made no reference to that absence. It is assumed that if the tests referred to above are conducted and prove successful, that comments responsive to this or subsequent notices will raise the issue again.

28. The arguments set forth by RTCM were persuasive to the degree that it is proposed in the preliminary views that 156.4–157.4 MHz be used for upward transmissions and 173–174 MHz be used for downward transmissions by stations

in the maritime mobile service when employing space techniques, subject to agreement among administrations concerned and/or affected. A limit on the power flux density at the surface of the earth from the satellite-borne stations is contemplated to preclude interference to conventional terrestrial systems in the band 173–174 MHz. Proposals to grant secondary rights to the maritime mobile service in the frequency band 117.975–136 MHz and to grant them equal rights in the frequency bands covered by modified footnote No. 352B were not adopted. The accommodation at 156.4–157.4/173–174 MHz and in the range 1535–1660 MHz would appear sufficient to meet the needs of the maritime mobile service in this regard.

29. As noted in paragraph 21 above, ARINC/ATA and RTCA were strongly opposed to the "* * * derogation of any band currently allocated to an aeronautical service in order to accommodate another generic radio service * * *." If sweeping unsupported objections such as these were permitted to prevail, and all services voiced similar objections, the table of frequency allocations would be a static description of services to which the radio spectrum had been allocated initially, rather than the dynamic structure it must be to meet the changing needs of all services. Inasmuch as no technical justification can be found for such a position it has been rejected as a basis upon which to formulate allocation judgments. Proposals in the fourth notice with respect to the frequency band 1535–1660 MHz, which are repeated in the preliminary views, were tailored to accommodate the airborne collision avoidance system referred to by ARINC/ATA (RM–1201), which is now the subject of rule making in Docket No. 18550.

RADIO ASTRONOMY

30. This subject was treated extensively in the fourth notice of inquiry on the basis of the NAS response to the third notice. Opposition to allocation proposals for the radio astronomy service was voiced only by ARINC/ATA and RTCA. This opposition was directed to the proposal to reallocate the frequency band 21,980–22,000 kHz to the radio astronomy service on the grounds that this would derogate an existing aeronautical band for the accommodation of another generic radio service and that there had been no prior coordination with the aeronautical community by the Commission. It should be noted, however, that the band in question has been allocated to the aeronautical mobile and aeronautical fixed services on a worldwide basis since 1947 but it is totally devoid of non-Government assignments in either service. Further, the overall band 21,850–22,000 kHz from which this radio astronomy band would be derived, is very lightly used throughout the world by either service. The preliminary views propose, therefore, that the band 21,980–22,000 kHz be allocated exclusively to the radio astronomy service on a worldwide basis.

31. NAS did not respond formally to the fourth notice of inquiry but it has been learned informally that comments will be filed in response to this or a subsequent notice with respect to the longer term goals of the service. The proposals for radio astronomy as set forth in the fourth notice have been repeated in the preliminary views.

SHARING CRITERIA AND ARRANGEMENTS

32. A number of those filing comments pointed out the necessity of examining closely the sharing criteria recommended by the CCIR for use in bands between 1 and 10 GHz for coequal sharing between the communication-satellite service and terrestrial fixed and mobile services, to test the validity of applying those same criteria in other bands and between other services. A need was expressed also for sharing criteria between space systems of like and unlike character and between systems using different orbital configurations. These and other matters are presently being examined in the appropriate CCIR Study Groups and the results of their studies will be taken into account as the preparatory work progresses for the Space WARC.

33. Sharing in another form has been suggested by Comsat. They proposed that 3700–4200 MHz be used additionally for upward transmission and 5925–6425 MHz be used additionally for downward transmission. (The current rules provide for use in each band in the reverse direction only.) In this way the same bands could be used in different directions with different satellites, resulting in increased utilization of the spectrum while at the same time essentially doubling the number of usable slots on the geostationary orbit. This proposal was but one of several whereby additional spectrum space could be made available for the communication-satellite service. It has the disadvantage of precluding the colocation of earth stations using the bands in opposite directions and would result in the establishment of a number of additional protected areas in the heavily used 4 and 6 GHz bands from which common carrier terrestrial systems would necessarily be excluded to prevent mutual harmful interference. Therefore, while not foreclosing the possible future reconsideration of this proposal, an alternative proposal to derive an equivalent amount of spectrum space for the communication-satellite service is set forth in the preliminary views, i.e., 6625–7125 MHz for space-to-earth transmissions and 11.7–12.2 GHz for earth-to-space transmissions, sharing coequally in each instance with the services to which those bands are currently allocated.

34. EIA-SAT commented that, "* * * in the band 7300–7750 MHz the Commission, for the first time, proposes international allocations involving sharing between two application satellite services. While we find nothing wrong with this in principle, we caution that this has not been properly studied, and that adequate sharing criteria may well involve more than flux density limits * * *." It should be noted that the proposal to which EIA-SAT directed its comments was merely to modify an existing footnote, No. 392F, adopted by the Space EARC, 1963, by deleting one of the two frequency bands wherein this particular sharing arrangement is now authorized.

COMPETENCE OF THE SPACE WARC

35. JCET suggested that since the U.S. instructional television fixed service at 2.5 GHz has attracted the attention of other countries, it might be appropriate to discuss it at the WARC in the hope of gaining international recognition and status. Similarly, RTCA commenting in support of ARINC/ATA proposals in Docket No. 18262 for the allocation of 22 MHz of spectrum space between 806 and 890 MHz for the aeronautical mobile service, recommended recognition, both nationally and internationally, of this need. NAS, in response to the third notice, urged that more stringent technical standards be imposed upon terrestrial services in bands adjacent to radio astronomy bands to afford a higher degree of protection at observatories from out-of-band radiations. All three have suggested actions which, because of its limited agenda, the WARC will not be competent to treat. Accordingly, proposals on these points will not be found in the preliminary views.

FORMATION OF GOVERNMENT/INDUSTRY PREPARATORY GROUPS

36. GE, Comsat, EIA, AFTRCC, ARINC/ATA, and EIA-SAT [4] have each expressed concern with the decision to postpone establishment of joint Government/Industry committees to assist in the preparatory work for the WARC. In response to these comments, the Commission and the OTM continue to hold the view that the most effective manner in which to do the initial preparatory work for an Administrative Radio Conference devoted largely to frequency allocation matters is by following the course taken in this instance. It is their responsibility to weigh as objectively as possible the stated requirements of the several services within their respective jurisdictions making demands upon the spectrum, to ensure an equitable accommodation of all services. After an intial determination as to frequency allocation changes which would meet our national needs, and after receiving, through the cooperation of the Department of State, the reactions of other administrations to those preliminary proposals, the Commission and the OTM would welcome the establishment by the Department of State of an appropriate Government/Industry group within which national positions would be further developed on the various issues to be treated by the WARC.

37. This notice is issued pursuant to section 403 of the Communications Act of 1934, as amended. Interested parties responding to this inquiry shall furnish comments on or before September 30, 1969, and reply comments on or before October 15, 1969. All comments directed to the fifth notice of inquiry and/or the

[4] CBS expressed similar views in "Further Comments" filed May 1, 1969.

preliminary views as well as any additional pertinent information available will be taken into account as the preparatory work progresses.

38. In accordance with § 1.419 of the Commission's rules and regulations, an original and 14 copies of all comments filed shall be furnished the Commission.

Adopted: August 13, 1969.

Released: August 27, 1969.

FEDERAL COMMUNICATIONS COMMISSION,[5]
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 69-10474; Filed, Sept. 2, 1969; 8:48 a.m.]

FEDERAL RESERVE SYSTEM

FIRST EMPIRE STATE CORP.

Order Disapproving Action To Become Bank Holding Company

In the matter of the application of First Empire State Corp., Buffalo, N.Y., for approval of action to become a bank holding company through the acquisition of voting shares of four banks in the State of New York.

There has come before the Board of Governors, pursuant to section 3(a)(1) of the Bank Holding Company Act of 1956 (12 U.S.C. 1842(a)(1)) and § 222.3 (a) of Federal Reserve Regulation Y (12 CFR 222.3(a)), an application by First Empire State Corp., Buffalo, N.Y., for the Board's prior approval of action whereby Applicant would become a bank holding company through the acquisition of all of the outstanding voting shares (less directors' qualifying shares of the two national banks) of the following four banks located in the State of New York: Manufacturers and Traders Trust Co., Buffalo; First Trust & Deposit Co., Syracuse; a new national bank into which would be merged National Commercial Bank and Trust Co., Albany; and a new national bank into which would be merged First National Bank in Yonkers, Yonkers.

As required by section 3(b) of the Act, the Board gave written notice of receipt of the application to the Comptroller of the Currency and the New York Superintendent of Banks, and requested their views and recommendations thereon. The Comptroller recommended approval of the application, and the New York State Banking Board advised the Board of its action, consistent with a recommendation made to it by the Superintendent, approving an application, filed pursuant to the New York Banking Law, with respect to the same transaction.

Notice of receipt of the application was published in the FEDERAL REGISTER on December 28, 1968 (33 F.R. 19967), providing an opportunity for interested persons to submit comments and views with respect to the proposal. A copy of the application was forwarded to the U.S. Department of Justice for its consideration. Time for filing comments and views has expired and all those received have been considered by the Board.

It is hereby ordered, For the reasons set forth in the Statement of Governors Robertson, Brimmer, and Sherrill[1] and the Concurring Statement of Governor Maisel,[1] both of this date, that said application be and hereby is denied.

Dated at Washington, D.C., this 26th day of August 1969.

By order of the Board of Governors.[2]

[SEAL] ROBERT P. FORRESTAL,
Assistant Secretary.

[F.R. Doc. 69-10432; Filed, Sept. 2, 1969; 8:45 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[70-4779]

AMERICAN ELECTRIC POWER CO., INC.

Notice of Proposed Issue and Sale of Notes to Banks and to Dealer in Commercial Paper by Holding Company, Exemption From Competitive Bidding, and Capital Contributions to Subsidiary Companies

AUGUST 25, 1969.

Notice is hereby given that American Electric Power Co., Inc. ("AEP"), 2 Broadway, New York, N.Y. 10004, a registered holding company, has filed an application-declaration and an amendment thereto with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating sections 6(b) and 12 of the Act and Rule 50 promulgated thereunder as applicable to the proposed transactions. All interested persons are referred to the application-declaration, which is summarized below, for a complete statement of the proposed transactions.

AEP requests, pursuant to section 6(b) of the Act, that it be authorized to issue and sell, from time to time prior to June 30, 1971, short-term notes (including commercial paper) in an aggregate face amount of not more than $110 million to be outstanding at any one time. The amount of bank notes and commercial paper to be outstanding includes any such previously authorized notes (Holding Company Act Release No. 15917 (Dec. 15, 1967)) which may be outstanding after AEP applies the proceeds of its recent sale of common stock in payment thereof (Holding Company Act Release No. 16452 (Aug. 18, 1969)).

The proceeds from the sale of the short-term notes, including the commercial paper, are to be applied by AEP, together with other funds, to make additional investments in certain of its public-utility subsidiary companies to assist them in financing the costs of their respective construction programs and for other corporate purposes. AEP requests authority to make capital contributions from time to time prior to June 30, 1971, to three of its public-utility subsidiary companies, namely, Ohio Power Co. ("Ohio"), Appalachian Power Co. ("Appalachian"), and Indiana & Michigan Electric Co. ("I&M"), aggregating $55 million to Ohio, $40 million to Appalachian, and $55 million to I&M. The construction programs of the three subsidiary companies for the period October 1, 1969, through June 30, 1971, are estimated as follows: $207 million for Ohio, $246 million for Appalachian, and $256 million for I&M.

The notes to be sold to banks, in an aggregate face amount of $110 million less the face amount of outstanding commercial paper notes described below, will bear interest at the prime commercial rate then in effect, will mature not more than 270 days from the date of issue or reissue thereof, and will be prepayable at any time without premium. AEP will file with the Commission by amendment a list of the banks to which it proposes to issue and sell the proposed notes, and no such notes will be issued and sold prior to the issuance of a supplemental order by the Commission in connection therewith.

AEP also proposes to issue and sell, from time to time prior to June 30, 1971, commercial paper in the form of short-term promissory notes to an investment banker and dealer in commercial paper ("dealer"), up to $110 million face amount to be outstanding at any one time. The commercial paper notes will be of varying maturities with no such notes maturing more than 270 days after the date of issue, and none will be prepayable prior to maturity. Such notes, in denominations of not less than $50,000 and not more than $5 million, will be issued and sold by AEP directly to the dealer at a discount rate which will not be in excess of the discount rate per annum prevailing at the date of issuance for commercial paper of comparable quality and maturity. No commercial paper notes will be issued having a maturity of more than 90 days if such commercial paper notes would have an effective interest cost which exceeds the effective interest cost at which AEP could borrow from banks. The dealer will reoffer the commercial paper notes to not more than 100 of such dealer's customers, identified and designated in a nonpublic list prepared by the dealer in advance, at a discount rate of one-eighth

[5] Concurring statement of Commissioner Robert E. Lee and dissenting statement of Commissioner Nicholas Johnson filed as part of the original document.

[1] Both Statements filed as part of the original document. Copies available upon request to the Board of Governors of the Federal Reserve System, Washington, D.C. 20551, or the Federal Reserve Bank of New York. Dissenting statement of Chairman Martin and Governors Mitchell and Daane also filed as part of the original document and available upon request.

[2] Voting for this action: Governors Robertson, Maisel, Brimmer, and Sherrill. Voting against this action: Chairman Martin and Governors Mitchell and Daane.

of 1 percent per annum less than the discount rate to AEP. It is expected that such customers of the dealer will hold the commercial paper notes to maturity, but, if any such customer wishes to resell such commercial paper prior to maturity, the dealer, pursuant to a verbal repurchase, agreement, will repurchase such commercial paper sold by it and reoffer it to other customers on the list.

AEP will retire its short-term notes payable to banks and its commercial paper notes on or before December 31, 1971, from internal cash resources and the sale of common stock, pursuant to a future declaration to be filed.

AEP requests an exception from the competitive bidding requirements of Rule 50 for the proposed issue and sale of its commercial paper. AEP states that it is not practical to invite competitive bids for commercial paper and that current rates for commercial paper for such prime borrowers as AEP are published daily in financial publications.

The application-declaration states that only nominal fees and expenses are to be paid or incurred by AEP. It is further stated that the capital contributions of AEP to Appalachian require authorization by the State Corporation Commission of Virginia and the Public Service Commission of West Virginia, such authorizations to be filed by amendment, and that no other State commission and no Federal commission, other than this Commission, has jurisdiction over the proposed transactions.

Notice is further given that any interested person may, not later than September 12, 1969, request in writing that a hearing be held in respect of such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said application-declaration which he desires to controvert; or he may request that he be notified should the Commission order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon the applicant-declarant at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the application-declaration, as amended or as it may be further amended, may be granted and permitted to become effective as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 69-10439; Filed, Sept. 2, 1969; 8:45 a.m.]

[File No. 24W-2868]

COMPUTER COUNSELING, INC.

Order Temporarily Suspending Exemption, Statement of Reasons Therefor, and Notice of Opportunity for Hearing

AUGUST 27, 1969.

I. Computer Counseling, Inc. (Issuer) 30 South Calvert Street, Baltimore, Md., incorporated in the State of Maryland on June 18, 1968, filed with the Commission on July 15, 1968, a notification on Form 1-A and an offering circular relating to an offering of 100,000 shares of its $0.12 par value common stock at $2 per share for an aggregate offering price of $200,000 for the purpose of obtaining an exemption from the registration requirements of the Securities Act of 1933, as amended, pursuant to the provisions of section 3(b) thereof and Regulation A promulgated thereunder. This offering became effective on August 23, 1968.

II. The Commission has reasonable cause to believe that:

A. The terms and conditions of Regulation A have not been compiled with in that:

1. The Issuer failed to disclose in the notification and offering circular the plan of distribution for the offering, including the direct and indirect participation in the distribution as underwriters by certain broker-dealers, their partners, officers and employees, including, Herzfeld & Stern, a partnership, partners Paul A. Cohen, Irving D. Karpas, Jr., Morris Lamer, John B. Ryan, Stanley Levy, C. William Smith, Marshall M. Weinberg, Alan N. Brenits, Steven A. Seiden, Kurt Burger, Alan J. Friedman, and employees Michael Rothenberg and Earl Bronsteen; A. P. Montgomery & Co., Inc., Gorden L. Davis, president, Richard Friedman, vice president and Anthony Cassino, an employee; Daniel S. Brier & Co., Inc., and Daniel S. Brier, president, Stuart M. Ackerman; Brand, Grumet & Seigel, Inc., and Joel S. Nadel, formerly a vice president and other persons closely related to the Issuer, including Nathan H. Cohen, Julius B. Levitt, Bernard W. Sollod, Norman Sollod, Daniel Cohen, George Lax, David Grove, Thelma Cohen, and members of their respective families;

2. Certain broker-dealers, their partners, officers and employees including Herzfeld & Stern, Irving D. Karpas, Jr., John B. Ryan, Stanley Levy, C. William Smith, Marshall M. Weinberg, Alan N. Brenits, Alan J. Friedman, Michael Rothenberg, Earl Bronsteen, A. P. Montgomery & Co., Inc., Gordon L. Davis, Richard Friedman, Anthony Cassino, Daniel S. Brier & Co., Inc., and Daniel S. Brier, Stuart Ackerman, Brand, Grumet & Seigel, Inc., Joel S. Nadel, and members of their respective families, and other persons closely related to the Issuer, including Nathan H. Cohen, Julius B. Levitt, Bernard W. Sollod, Norman Sollod, Daniel Cohen, George Lax, David Grove, Thelma Cohen, and members of their respective families acted as undisclosed underwriters by offering and selling the Issuer's securities at prices exceeding the stated offering price;

3. By reason of the underwriting activities described in paragraph 2 above, the aggregate amount of securities offered to the public exceeded the $300,000 limitation as prescribed by Rule 254 of Regulation A;

4. The Issuer failed to disclose in the notification and offering circular Nathan H. Cohen's beneficial ownership of approximately 20 percent of Issuer's stock held of record and escrowed by Ronald H. Goodman pursuant to Rule 253(c)(2);

5. The Issuer failed to furnish an offering circular as required by Rule 256 of Regulation A, to purchasers of shares of the Issuer's common stock sold by underwriters as described in paragraphs 1 and 2 herein;

6. The Issuer failed to disclose in the notification and offering circular all of its promoters and counsel; and

7. The Issuer's Form 2-A report, as required by Rule 263 of Regulation A, falsely sets forth the date on which the offering was completed.

B. The notification and offering circular of Computer Counseling, Inc., contain untrue statements of material facts and omit to state material facts necessary in order to make the statements made, in the light of the circumstances under which they were made, not misleading, particularly with respect to the matters alleged in subparagraphs 1, 2, 4, and 6 of section II A of this order.

C. The offering was made in violation of sections 5 and 17 of the Securities Act of 1933, as amended.

III. It appearing to the Commission that it is in the public interest and for the protection of investors that the exemption of the Issuer under Regulation A be temporarily suspended,

It is ordered, Pursuant to Rule 261(a) of the general rules and regulations under the Securities Act of 1933, as amended, that the exemption under Regulation A be and hereby is, temporarily suspended.

It is further ordered, Pursuant to Rule 7 of the Commission's rules of practice, that the Issuer file an answer to the allegations contained in this order within 30 days of the entry thereof.

Notice is hereby given that any person having any interest in the matter may file with the Secretary of the Commission a written request for a hearing within 30 days after the entry of this order; that within 20 days after receipt of such request the Commission will, or at any time upon its own motion may, set the matter down for hearing at a place

to be designated by the Commission for the purpose of determining whether this order of suspension should be vacated or made permanent, without prejudice, however, to the consideration and presentation of additional matters at the hearing; and that notice of the time and place for said hearing will be promptly given by the Commission. If no hearing is requested and none is ordered by the Commission, the order shall become permanent on the 30th day after its entry and shall remain in effect unless it is modified or vacated by the Commission.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 69-10440; Filed, Sept. 2, 1969; 8:45 a.m.]

[File No. 812-2557]

CONNECTICUT GENERAL LIFE INSURANCE CO. AND CG VARIABLE ANNUITY ACCOUNT II

Notice of Application for Exemption From the Provisions of the Investment Company Act of 1940

AUGUST 27, 1969.

Notice is hereby given that Connecticut General Life Insurance Co. ("CG Life") and CG Variable Annuity Account II ("Account") (hereinafter collectively called "Applicants") have filed an application pursuant to section 6(c) of the Investment Company Act of 1940, 15 U.S.C. section 80a-1 et seq. ("Act") for an order exempting Applicants from the provisions of sections 12(d)(1), 22(d), 26(a)(2), 26(a)(3), 27(a)(4), and 27(c)(2) of the Act. The Account, a unit investment trust, registered under the Act on February 28, 1969. All interested persons are referred to the application on file with the Commission for a statement of the representations contained therein which are summarized below.

CG Life has established the Account in order to offer individual variable annuity contracts and group variable annuity contracts designed for use in connection with retirement annuity plans adopted by employers not qualifying for tax-deferred treatment under section 401 of the Internal Revenue Code of 1954, as amended.

CG Life is a stock life insurance company chartered by the State of Connecticut. The Account was established by CG Life's board of directors pursuant to the laws of Connecticut. Under such laws, the assets maintained by the Account may not be charged with any liabilities arising out of any other business conducted by CG Life, and the income, gains, or losses of the Account may be credited to or charged against the assets of the Account without regard to the other income, gains, or losses of CG Life. Assets of the Account will be held by Hartford National Bank and Trust Co. pursuant to an agreement of custodianship. All obligations under the contracts are general corporate obligations of CG Life and all of the latter's assets are available to meet the obligations under the contracts.

Applicants request exemption from the following provisions of the Act to the extent stated below:

Section 12(d)(1) of the Act provides, in pertinent part, that it shall be unlawful for any registered investment company to purchase any security issued by any other investment company if such registered investment company will, as a result of that purchase, own more than 3 percent of the outstanding voting securities of the other investment company. Section 12(d)(1)(B) of the Act provides, in substance, that such 3 percent restriction is not applicable with respect to securities purchased with the proceeds of payment on periodic payment plan certificates issued pursuant to the terms of a trust indenture.

The securities of the Account may be deemed to be periodic payment plan certificates but purchases of Fund shares will be pursuant to terms of an agreement of custodianship rather than a trust indenture. The custodianship arrangements and the Connecticut law and regulations applicable to CG Life and the Account will afford the essential protections which section 26(a) of the Act was designed to provide. The purchase of Fund shares for the Account will be made in substantially the same manner as a purchase would be made if the assets of the Account were held pursuant to the terms of a trust indenture.

Section 22(d) of the Act provides, in pertinent part, that no registered investment company or principal underwriter thereof shall sell any redeemable security to the public except at a current offering price described in the prospectus.

Applicants request exemption from the provisions of section 22(d) to permit the group variable annuity contracts to contain a provision for experience rating credits. CG Life will annually determine its experience with respect to sales and administrative expenses allocable to each group contract to determine whether amounts deducted have exceeded the actual costs for the prior year. On the basis of such determination, CG Life, in its discretion, may allocate all, a portion or none of such excess as an experience rating credit. Any excess so allocated will be applied in one of the following ways: (a) By a reduction in the amount deducted under the contract from subsequent payments or (b) by crediting without deduction for sales charges a number of additional accumulation units or annuity units, as applicable, equal in value to the amount of the credits due less any applicable premium taxes. No additional deduction will be made if the amounts deducted fail to cover CG Life's sales and administration costs.

In connection with the offer of a group variable annuity contract, CG Life proposes to offer a group fixed payment annuity contract. Applicants request exemption from section 22(d) to the extent necessary to permit transfers of accumulated values between such contracts without sales charges, not to exceed one transfer by each participant from a fixed to a variable annuity contract in each calendar year. In addition, any participant under any other group annuity contract (fixed or variable), issued by CG Life and not providing tax-deferred treatment under either section 401 or section 403(b) of the Internal Revenue Code of 1954, may transfer without sales charge to a group variable annuity contract participating in the Account.

Applicants state that in all cases where such a transfer is permitted, a sales charge will have been paid that is not less than the sales charge with respect to a like amount paid in under the group variable annuity contract.

Contracts participating in the Account may provide that the beneficiary of a deceased person for whom an accumulation account was maintained may elect to have the account value applied to effect a variable annuity for the beneficiary in lieu of payment in a single sum, unless the decedent has provided otherwise. Applicants state that the imposition of a sales charge would tend, in practice, to eliminate such option. Applicants request an exemption from section 22(d) to the extent necessary to permit exercise of such variable annuity option without an additional sales charge.

Section 27(a)(4) of the Act prohibits the sale of any periodic payment plan certificate issued by a registered investment company if the first payment thereon is less than $20 or if any subsequent payment is less than $10. In order to avoid inconvenience and additional expense in administering individual and group contracts, Applicants request exemption from the provisions of section 27(a)(4) so that the first payment may be in an amount under $20 but not less than $10.

Sections 26(a)(2), 26(a)(3), and 27(c)(2) of the Act, as here pertinent, provide in substance that a unit investment trust or a depositor or underwriter for such an investment company is prohibited from selling periodic payment plan certificates unless the proceeds of all payments, other than the sales load, are deposited with a qualified bank as trustee or custodian and held under an agreement of custodianship. The agreement must provide (i) that the custodian bank shall have possession of all property of the unit investment trust and shall segregate and hold the same in trust, (ii) that the custodian bank shall not resign until either the unit investment trust has been liquidated or a successor appointed, (iii) that the custodian may collect from the income and, if necessary, from the corpus of the unit investment trust fees for services performed and reimbursement of expenses incurred, and (iv) that no payment to the depositor or principal underwriter shall be allowed the custodian bank as an expense except a fee, not exceeding such reasonable amount as the Commission may prescribe, for performing bookkeeping and other administrative services delegated to the custodian.

Applicants request exemption from the provisions of sections 26(a)(2), 26

(a)(3), and 27(c)(2) because the custodianship agreement, which in all other respects meets the requirements of those sections, does not provide that the assets of the Account will be held in trust. Applicants state that in all dealings with persons having rights under contracts issued by the Account, CG Life will operate as a regulated insurance company subject to the extensive authority and jurisdiction of the Connecticut Commissioner of Insurance. Applicants state that such authority and jurisdiction afford the essential protections against the orphanage of the Account which the trusteeship under section 26(a) and 27(c)(2) is designed to provide.

Applicants have consented to the requested exemption being subject to the following conditions: (1) That the charges under the contracts for administrative services shall not exceed such reasonable amounts as the Commission shall prescribe, jurisdiction being reserved for such purpose, and (2) that the payment of sums and charges out of the assets of the Account shall not be deemed to be exempted from regulation by the Commission by reason of the requested order: *Provided*, That Applicants' consent to this condition shall not be deemed to be a concession to the Commission of authority to regulate the payments of sums and charges out of such assets other than charges for administrative services, and Applicants reserve the right in any proceeding before the Commission or in any suit or action in any court to assert that the Commission has no authority to regulate the payment of such other sums or charges.

Section 6(c) of the Act authorizes the Commission to exempt any person, security or transaction from any provision of the Act or of any rule or regulation thereunder if and to the extent that such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Notice is further given that any interested person may, not later than September 17, 1969, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon Applicants at the address stated above. Proof of such service (by affidavit or in case of an attorney at law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0–5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion. Persons who request a hearing, or advice as to whether a hearing is ordered, will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 69–10441; Filed, Sept. 2, 1969; 8:45 a.m.]

[812–2573]

E. I. DU PONT DE NEMOURS AND CO.

Notice of Filing of Application for Order Authorizing Proposed Transaction

AUGUST 27, 1969.

Notice is hereby given that E. I. du Pont de Nemours and Co. ("applicant") Wilmington, Del. 19898, a Delaware corporation, has filed an application pursuant to section 17(d) of the Investment Company Act of 1940 ("Act") and Rule 17d–1 thereunder for an order granting said application pursuant to Rule 17d–1 with respect to the sale of shares of common stock of Cryogenic Engineering Co. ("Cryenco"), a Colorado corporation, by Cryenco and by applicant as part of a proposed public offering of Cryenco common stock. All interested persons are referred to the application on file with the Commission for a full statement of the representations therein, which are summarized below.

Christiana Securities Co. ("Christiana"), a registered closed-end investment company, owns approximately 29 percent of the outstanding common stock of applicant and applicant, in turn, owns 110,252 shares, or approximately 18 percent, of Cryenco's outstanding common stock. Under sections 2(a)(3) and 2(a)(9) of the Act, applicant is an affiliate of, and is presumed to be controlled by, Christiana and Cryenco is an affiliated person of applicant.

Cryenco has filed a registration statement with the Commission under the Securities Act of 1933 with respect to a proposed public offering of 221,000 shares of Cryenco common stock, of which 99,748 shares are proposed to be offered by Cryenco, 55,252 shares by applicant, and 66,000 shares by other shareholders of Cryenco. Applicant and the other selling shareholders will pay underwriting commissions of 8½ percent based on the offering price to the public. The managing underwriter has given Cryenco the choice of paying the same 8½ percent commission or paying a commission of 6½ percent and issuing to the managing underwriter certain warrants for the purchase of Cryenco common stock. Cryenco has elected to pay a 6½ percent commission and issue such warrants. All expenses of registration are to be borne by Cryenco. Cryenco granted applicant the right to have Cryenco register applicant's holdings of Cryenco common stock at Cryenco's expense in an agreement entered into in November 1962 in connection with applicant's initial investment in Cryenco. Most of the other selling shareholders also have the right to call upon Cryenco to register their shares at Cryenco's expense. Applicant does not intend to participate in the proposed public offering unless the order requested herein is received prior to the effective date of the offering.

Rule 17d–1, adopted under section 17(d) of the Act, provides, inter alia, that no affiliated persor of any registered investment company, and no affiliated person of such affiliated person, shall, acting as principal, participate in, or effect any transaction in connection with, any joint enterprise or other joint arrangement in which such registered company, or a company controlled by such registered company, is a participant, unless an application regarding such joint enterprise or arrangement has been filed with the Commission and has been granted by order, and that in passing upon such application the Commission will consider whether the participation of the registered or controlled company in the joint enterprise or arrangement on the basis proposed is consistent with the provisions, policies and purposes of the Act and the extent to which such participation is on a basis different from or less advantageous than that of other participants.

Notice is further given that any interested person may, not later than September 11, 1969, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon applicant at the address set forth above. Proof of such service (by affidavit or in case of an attorney at law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0–5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion. Persons who request a hearing, or advice as to whether a hearing is ordered, will receive notice of further developments in this matter, including the date of the hearing (if desired) and any postponements thereof.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 69–10442; Filed, Sept. 2, 1969; 8:46 a.m.]

FEDERAL OIL CO.

Order Suspending Trading

AUGUST 27, 1969.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock and all other securities of Federal Oil Co. being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

It is ordered, Pursuant to section 15 (c) (5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period August 28, 1969 through September 6, 1969, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 69-10443; Filed, Sept. 2, 1969; 8:46 a.m.]

[File No. 1-4310]

FEDERATED PURCHASER, INC.

Order Suspending Trading

AUGUST 25, 1969.

The common stock, 10-cent par value, of Federated Purchaser, Inc., being listed and registered on the American Stock Exchange pursuant to provisions of the Securities Exchange Act of 1934 and all other securities of Federated Purchaser, Inc., being traded otherwise than on a national securities exchange; and

It appearing to the Securities and Exchange Commission that the summary suspension of trading in such securities on such exchanges and otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

It is ordered, Pursuant to sections 15 (c) (5) and 19 (a) (4) of the Securities Exchange Act of 1934, that trading in such securities on the American Stock Exchange, and trading otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period August 26, 1969 through September 4, 1969, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 69-10444; Filed, Sept. 2, 1969; 8:46 a.m.]

[70-4767]

HAWAIIAN ELECTRIC CO., INC.

Notice of Filing and Order for Hearing Regarding Acquisition by Exempt Holding Company of Common Stock of Nonassociate Public Utility Company

AUGUST 25, 1969.

Notice is hereby given that Hawaiian Electric Co., Inc. ("Heco"), 900 Richards Street, Honolulu, Hawaii 96813, an electric utility company and an exempt holding company, has filed an application-declaration with this Commission, pursuant to sections 9(a) and 10 of the Public Utility Holding Company Act of 1935 ("Act"), regarding the proposed offer by Heco to exchange its shares of common stock for the outstanding common stock of Hilo Electric Light Co. ("Hilo"), a nonassociate electric utility company. All interested persons are referred to the application-declaration, which is summarized below, for a complete statement of the proposed transactions.

Heco is engaged in the electric utility business on the Island of Oahu, State of Hawaii. Its wholly owned subsidiary company, Maui Electric Co., Ltd. ("Maui"), is engaged in the electric utility business on the Islands of Maui and Lanai, State of Hawaii. Heco, the only electric utility company serving Oahu, has approximately 156,000 customers, while Maui, the only electric utility company serving Maui and Lanai, has approximately 14,000 customers. At December 31, 1968, Heco had consolidated net assets of $235,642,000 and, for the year then ended, consolidated revenues of $60,328,000 and consolidated net income of $8,476,000. The 3,659,798 shares of common stock of Heco outstanding, par value $6⅔, are listed on the New York Stock Exchange. Heco also has outstanding 1,370,617 shares of cumulative preferred stock, $20 value, and long-term debt in the amount of $104,600,000, of which $97,620,000 is represented by first mortgage bonds and $6,980,000 is represented by 4⅛ percent convertible debentures.

Hilo is engaged in the electric utility business on the Island of Hawaii, and it has approximately 20,000 customers. At December 31, 1968, it had net assets of $26,730,000 and, for the year then ended, revenues of $6,146,000 and net income of $564,000. The 525,000 shares of common stock of Hilo outstanding, par value $10, are listed on the Honolulu Stock Exchange. Hilo also has outstanding long-term debt in the amount of $9,130,357, of which $8,260,000 is represented by first mortgage bonds and $870,357 is represented by second mortgage notes.

New Hawn Corp. ("New Hawn") a Hawaiian corporation organized by Heco solely for the purpose of consumating the transaction), and Heco and Hilo, have entered into agreements pursuant to which New Hawn, a wholly owned subsidiary company of Heco, will be merged into Hilo. New Hawn will exchange all of its authorized and issued common stock for 528,780 shares of the common stock of Heco. Upon the merger of New Hawn into Hilo, the stockholders of Hilo will receive the 528,780 shares of Heco common stock, and Heco will convert its New Hawn common stock into 525,000 shares of Hilo common stock. Thus, in effect, 528,780 shares of the common stock of Heco will be exchanged for the outstanding 525,000 shares of the common stock of Hilo, on the basis of 1.0072 shares of Heco common stock for each share of Hilo common stock and Hilo will be a subsidiary company of Heco. No fractional shares of the common stock of Heco will be issued, and the common stockholders of Hilo entitled to less than a whole share will be paid in cash for any fractional shares.

Neither Heco and Maui serving respectively, Oahu and Maui, which are separated by approximately 36 miles, nor Maui and Hilo serving, respectively, Maui and the Island of Hawaii, which are separated by approximately 30 miles, are physically interconnected. The application-declaration represents that technological developments in high voltage direct current systems combined with an accelerated growth rate of the utilities in Hawaii point towards eventual physical interconnection.

Heco presently claims an exemption pursuant to Rule 2. The application-declaration states that upon consummation of the proposed transactions Heco will continue to claim such exemption.

The application-declaration states that the Public Utilities Commission of the State of Hawaii has jurisdiction over the issuance of common stock by Heco and the merger of New Hawn into Hilo. No other State commission and no Federal commission, other than this Commission, has jurisdiction over the proposed transactions.

It is further stated that the fees and expenses to be paid in connection with the proposed transactions are estimated at $118,000, including legal fees of $60,000 and negotiating expenses of $20,000.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a public hearing be held with respect to the proposed transactions; that the stockholders of Heco and Hilo and other interested persons be afforded an opportunity to be heard in other aspects of the proposed transactions; and that the application-declaration should not be granted or permitted to become effective except pursuant to further order of the Commission:

It is ordered, That a hearing be held herein on September 16, 1969 at 10 a.m., at the office of the Securities and Exchange Commission, 500 North Capitol Street NW., Washington, D.C. 20549. On such date the Hearing Room Clerk will advise as to the room in which the hearing will be held.

It is further ordered, That a Hearing Examiner, hereafter to be designated shall preside at said hearing. The officer so designated is hereby authorized to exercise all powers granted to the Commission under section 18(c) of the Act and to a hearing officer under the Commission's rules of practice.

The Division of Corporate Regulation of the Commission having advised the Commission that it has made a preliminary examination of the application-declaration and that, upon the basis thereof, the following matters and questions are presented for consideration, without prejudice, however, to the presentation of additional matters and questions upon further examination:

1. Whether the proposed acquisition by Heco of the outstanding shares of common stock of Hilo meets the standards of section 10 of the Act, and particularly the requirements of sections 10(b) and 10(c);

2. What terms or conditions, if any, the Commission's order should contain;

3. Whether the accounting entries to be made in connection with the proposed transactions are proper and in accord with sound accounting principles;

4. Whether the fees, commissions and other expenses to be incurred are for necessary services and reasonable in amount; and

5. Generally, whether the proposed transactions are in all respects compatible with the provisions and standards of the applicable sections of the Act and of the rules and regulations promulgated thereunder.

It is further ordered, That particular attention be directed at said hearing to the foregoing matters and questions.

It is further ordered, That any person, other than applicant-declarant, desiring to be heard in connection with this proceeding or proposing to intervene therein shall file with the Secretary of the Commission, on or before September 12, 1969, a written request relative thereto as provided in Rule 9 of the Commission's rules of practice. A copy of such request should be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon the applicant-declarant at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. Persons filing an application to participate or be heard will receive notice of any adjournment of the hearing as well as other actions of the Commission involving the subject matter of these proceedings.

It is further ordered, That jurisdiction be, and it hereby is, reserved to separate, in whole or in part, either for hearing or for disposition, any issues or questions which may arise in these proceedings and to take such other action as may appear conducive to an orderly, prompt, and economical disposition of the matters involved.

It is further ordered, That the Secretary of the Commission shall give notice of the aforesaid hearing by mailing copies of this notice and order by certified mail to Heco, Hilo, the Public Utilities Commission of Hawaii, the Federal Power Commission, and the U.S. Department of Justice, and that notice to all other interested persons shall be given by a general release of the Commission and by publication of this notice and order in the FEDERAL REGISTER.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 69-10445; Filed, Sept. 2, 1969; 8:46 a.m.]

PACIFIC FIDELITY CORP.

Order Suspending Trading

AUGUST 27, 1969.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Pacific Fidelity Corp. and all other securities of Pacific Fidelity Corp. being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

It is ordered, Pursuant to section 15(c)(5) of the Securities Exchange Act of 1934, that trading in such securities otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period August 28, 1969, through September 6, 1969, both dates inclusive.

By the Commission.

ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 69-10446; Filed, Sept. 2, 1969; 8:46 a.m.]

[812-2485]

TRAVELERS EQUITIES FUND, INC. AND TRAVELERS EQUITIES SALES, INC.

Notice of Application for Exemption

AUGUST 25, 1969.

Notice is hereby given that The Travelers Equities Fund, Inc. ("Fund"), and Travelers Equities Sales, Inc., One Tower Square, Hartford, Conn., the principal underwriter for shares of the Fund ("Distributor") (hereinafter collectively Applicants), have filed an application pursuant to section 6(c) of the Investment Company Act of 1940, 15 U.S.C. section 80a-1 et seq. ("Act"), for an order exempting Applicants from the provisions of section 22(d) of the Act. The Fund is an open-end diversified management investment company registered under the Act. The Distributor is a wholly owned subsidiary of The Travelers Corp., a Connecticut stock insurance company. The sales representatives of the Distributor are in most cases also insurance agents of The Travelers Insurance Co., whose parent is The Travelers Corp. All interested persons are referred to the application on file with the Commission for a statement of the representations contained therein which are summarized below.

Section 22(d) provides, in relevant part, that an open-end investment company is prohibited from selling a redeemable security issued by it to any person except at a current offering price described in the prospectus. This section has been construed as prohibiting variations is sales load except on a uniform basis.

The offering price of shares of the Fund is currently the net asset value per share plus a sales charge, as described in the Fund's prospectus. Applicants propose that the Fund sell its shares at net asset value without sales charges to persons in the following categories:

1. Permanent employees, present and retired, of the Travelers companies with more than 1 year's service who are over age 21, and all present and retired officers and directors of the Travelers companies and of the Fund;

2. Contract sales representatives of the Travelers companies;

3. Full-time employees of such representatives who have served as such for more than 1 year and are over 21;

4. Any trust, pension, profit sharing, deferred compensation, stock purchase, and savings or any other benefit plan for such persons; and

5. The Travelers Corp., its subsidiaries and affiliates.

Applicants state that shares sold to any of the persons described in categories 1 through 3 above would be registered only in the individual's name, in the individual's name as joint tenant with his spouse, and in a custodianship under the Uniform Gifts to Minors Act for the individual's minor children. All sales will be made on the written assurance that the purchases were made for investment purposes and that the shares would not be resold except upon repurchase or redemption by the Fund. Further, the Fund intends to identify all shares issued in connection with the above sales and prohibit any transfer of such shares except by way of repurchase or redemption by the Fund or in the event of the death of the owner. The executor, administrator, legatee, or beneficiary of a deceased owner would be permitted to hold such shares, subject to the same restrictions on their sale or transfer.

Applicants assert that the requested exemption to permit sales of Fund shares at no-load to the classes of persons described above would not be inconsistent with the purposes underlying section 22(d) of the Act. In addition, the application states that customary selling expenses would not be incurred by the Fund or the Distributor in connection with these sales.

Section 6(c) of the Act authorizes the Commission by order, upon application, to exempt, conditionally or unconditionally, any transaction from any provisions of the Act or of any rule or regulation thereunder, if and to the extent that the Commission finds that such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Notice is further given that any interested person may, not later than September 10, 1969, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall

order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (airmail if the persons being served are located more than 500 miles from the point of mailing) upon Applicants at the address stated above. Proof of such service by affidavit (or in case of an attorney at law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0–5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued upon the basis of the information stated in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion. Persons who request a hearing, or advice as to whether a hearing is ordered, will receive notice of further developments in the matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 69–10447; Filed, Sept. 2, 1969; 8:46 a.m.]

INTERSTATE COMMERCE COMMISSION

[S.O. 994; ICC Order No. 36]

LOUISVILLE AND NASHVILLE RAILROAD CO.

Rerouting Traffic

In the opinion of R. D. Pfahler, agent, the Louisville and Nashville Railroad Co. is unable to transport traffic over its line between Nashville and Crossville, Tenn., account bridge damage at Milepost No. 9 east of Nashville, Tenn.

It is ordered, That:

(a) The Louisville and Nashville Railroad Co. being unable to transport traffic over its line between Nashville and Crossville, Tenn., account bridge damage at Milepost No. 9, east of Nashville, Tenn., the Louisville and Nashville Railroad Co. and the Southern Railway Co. are hereby authorized to reroute or divert such traffic over any available route to expedite the movement. Billing covering all such cars rerouted shall carry a reference to this order as authority for rerouting.

(b) *Notification to shippers.* Each carrier rerouting cars in accordance with this order shall notify each shipper at the time each car is rerouted or diverted and shall furnish to such shipper the new routing provided under this order.

(c) Inasmuch as the diversion or rerouting of traffic by said Agent is deemed to be due to carrier's disability, the rates applicable to traffic diverted or rerouted by said Agent shall be the rates which were applicable at the time of shipment on the shipments as originally routed.

(d) In executing the directions of the Commission and of such Agent provided for in this order, the common carriers involved shall proceed even though no contracts, agreements, or arrangements now exist between them with reference to the divisions of the rates of transportation applicable to said traffic; divisions shall be, during the time this order remains in force, those voluntarily agreed upon by and between said carriers; or upon failure of the carriers to so agree, said divisions shall be those hereafter fixed by the Commission in accordance with pertinent authority conferred upon it by the Interstate Commerce Act.

(e) *Effective date.* This order shall become effective at 12:01 p.m., August 27, 1969.

(f) *Expiration date.* This order shall expire at 11:59 p.m., September 12, 1969, unless otherwise modified, changed, or suspended.

It is further ordered, That this order shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that it be filed with the Director, Office of the Federal Register.

Issued at Washington, D.C., August 27, 1969.

INTERSTATE COMMERCE COMMISSION,
R. D. PFAHLER,
Agent.

[F.R. Doc. 69–10485; Filed, Sept. 2, 1969; 8:49 a.m.]

[Notice 897]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

AUGUST 28, 1969.

The following are notices of filing of applications for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the new rules of Ex Parte No. MC–67 (49 CFR Part 1131) published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date of notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protests must be served on the applicant, or its authorized representative, if any, and the protests must certify that such service has been made. The protests must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six copies.

A copy of the application is on file, and can be examined at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in field office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 20916 (Sub-No. 6 TA), filed August 22, 1969. Applicant: JOHN T. SISK, 813 South Main Street, Culpeper, Va. 22701. Applicant's representative: C. F. Germelman, Post Office Box 81, Winchester, Va. 22601. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Wood chips and sawdust* in bulk, from Mine Run, Va., and points within a 30-mile radius thereof, to Spring Grove, Pa., for 150 days. Supporting shipper: Goodwin Brothers, Mine Run, Va. 22568. Send protests to: Robert D. Caldwell, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 12th and Constitution Avenue NW., Room 2210, Washington, D.C. 20423.

No. MC 30837 (Sub-No. 378 TA), filed August 22, 1969. Applicant: KENOSHA AUTO TRANSPORT CORPORATION, 4200 39th Avenue, Kenosha, Wis. 53140. Applicant's representative: Albert P. Barber (same address as above). Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Snowmobiles and snowmobile parts,* from Fond du Lac, Wis., to Seattle, Wash.; Grand Rapids, Mich.; Auburn, Mass.; Denver, Colo.; East Brunswick, N.J.; and those points located on the United States-Canadian border in Washington, Minnesota, Michigan, and New York; and also between Fond du Lac, Wis.; Seattle, Wash.; Grand Rapids, Mich.; Denver, Colo.; Auburn, Mass.; and East Brunswick, N.J., for 180 days. Supporting shipper: Kiekhaefer Mercury, Division of Brunswick Corp., Fond du Lac, Wis. 54935 (E. John Marcoe). Send protests to: District Supervisor Lyle D. Helfer, Interstate Commerce Commission, Bureau of Operations, 135 West Wells Street, Room 807, Milwaukee, Wis. 53203.

No. MC 48213 (Sub-No. 30 TA), filed August 21, 1969. Applicant: C. E. LIZZA, INC., Post Office Box 447, Rural Delivery No. 6, Lincoln Highway West, Greenburg, Pa. 15601. Applicant's representative: Henry Wick, Jr., 2310 Grant Building, Pittsburgh, Pa. 15219. Authority sought to operate as a *contract carrier,* by motor vehicle, over irregular routes, transporting: *Classes A and B explosives, blasting agents, and supplies and equipment incidental thereto,* from the plantsite or other facilities of Hercules, Inc., at or near Carthage, Mo.; McAdory, Ala., and Kenvil, N.J., to points in Alabama, Arkansas, Arizona, Colorado, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Ohio, Oklahoma, Rhole Island, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, West Virginia, Wisconsin, and Wyoming, for 150 days. Supporting shipper: American Cyanamid Co., Wayne, N.J. 07470. Send protests to: Frank L. Calvary, District Supervisor, Bureau of Operations,

Interstate Commerce Commission, 2109 Federal Building, 1000 Liberty Avenue, Pittsburgh, Pa. 15222.

No. MC 116628 (Sub-No. 12 TA), filed August 22, 1969. Applicant: SUBURBAN TRANSFER SERVICE, INC., Post Office Box 168, Rutherford, N.J. 07070. Applicant's representative: Richard I. Brown (same address as above). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such merchandise*, as is dealt in by retail department stores, *packaging materials* for such merchandise, and *materials and supplies* used in the operation of such stores, between New York, N.Y.; Hackensack, West Orange, New Brunswick, Trenton, N.J.; and Upper Darby, Pa.; for 150 days. Supporting shipper: Arnold Constable, Fifth Avenue at 40th Street, New York, N.Y. 10016. Send protests to: District Supervisor Joel Morrows, Bureau of Operations, Interstate Commerce Commission, 970 Broad Street, Newark, N.J. 07102.

No. MC 119777 (Sub-No. 160 TA), filed August 22, 1969. Applicant: LIGON SPECIALIZED HAULER, INC., Post Office Drawer L, Madisonville, Ky. 42431. Applicant's representative: William G. Thomas (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pallets, skids, and lumber* (except hardwood flooring and plywood), from Harriman, Tenn., to points in Indiana, Kentucky, and Ohio, for 180 days. Supporting shipper: J. L. Yankie, Yankie Lumber Co., Mangroves Road, Harriman, Tenn. 37748. Send protests to: Wayne L. Merilatt, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 426 Post Office Building, Louisville, Ky. 40202.

No. MC 133934 (Sub-No. 1 TA), filed August 19, 1969. Applicant: V. A. HILLS, doing business as HILLS CONSTRUCTION COMPANY, Mankato, Kans. 66956. Applicant's representative: Clyde N. Christey, 641 Harrison Street, Topeka, Kans. 66603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat byproducts and articles distributed by meat packinghouses*, as defined in sections A, B, and C of appendix I, *Description in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from the plantsite and/or storage facilities of Downs Packing, Inc., at or near Downs, Kans., to the TOFC facilities of Chicago, Rock Island and Pacific Railroad Co., at or near Mankato, Kans.; restricted to traffic having a subsequent rail movement, for 150 days. NOTE: Applicant does not intend to tack the authority here applied for to other authority. Supporting shipper: Downs Packing, Inc., Highway 24 West, Post Office Box 187, Downs, Kans. 67437. Send protests to: Thomas P. O'Hara, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 234 Federal Building, Topeka, Kans. 66603.

No. MC 133964 TA, filed August 20, 1969. Applicant: WATERFRONT HAULERS, INC., Calliope and Delta Streets, Box 1503 Chamlette, La. 70043, New Orleans, La. 70130. Applicant's representative: E. A. Winter, 235 Rosewood Drive, Metairie, La. 70005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Ships spare parts, supplies, equipment and machinery*, in bond, loose or in packages, from New Orleans, La., to Shipside at Burnside, Gramercy, Port Allen, and St. Rose, La., for 180 days. Supporting shippers: Hansen & Tidemann, Inc., 442 Canal Street, New Orleans, La. 70130; Amerind Shipping Corp., 442 Canal Street, New Orleans, La. 70130; Ayers Steamship Co., Inc., 1803 International Trade Mart, New Orleans, La. 70130; Dalton Steamship Corp., 2300 International Trade Mart, New Orleans, La. 70130; Ormet Corp., Burnside, La. 70786; Ore Shipping Co., Box 5 Burnside, La. 70738; International Maritime Agency, Inc., New Orleans, La. 70130. Send protests to: W. R. Atkins, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 4009 Federal Building, New Orleans, La. 70113.

No. MC 133967 TA, filed August 21, 1969. Applicant: JOHN R. McCORMICK, doing business as McCORMICK TRUCKING, Route 1, Catawba, Wis. 54515. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Lumber, plastics, cabinets, plywood, particle board, glue, hardware, hardboard, cartoning, materials, fabrics, cabinet parts and supplies, damaged goods, and machinery*, from Ladysmith, Wis., to points in Illinois, Indiana, South Dakota, North Dakota, Missouri, Kansas, West Virginia, Pennsylvania, Kentucky, Ohio, Michigan, Iowa, Minnesota, Nebraska, Oklahoma, Arkansas, Tennessee, and Colorado; and from the above states to Ladysmith, Wis., for 180 days. Supporting shipper: Mica Wood Corp., Box 126, Ladysmith, Wis. 54848. Send protests to: Barney L. Hardin, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 444 West Main Street, Room 11, Madison, Wis. 53703.

No. MC 133969 TA, filed August 22, 1969. Applicant: LANE TRANSFER CO., INC., Brandy Station, Va. 22714. Applicant's representative: L. C. Major, Jr., 421 King Street, Alexandria, Va. 22314. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wood chips, and sawdust*, from points in Culpeper and Stafford Counties, Va., to Spring Grove, Pa., for 180 days. Supporting shipper: K & M Lumber Co., Inc., Star Route, Box 4, Lignum, Va. 22726. Send protests to: Robert D. Caldwell, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 12th and Constitution Avenue NW., Room 2210, Washington, D.C. 20423.

By the Commission.

[SEAL] ANDREW ANTHONY, Jr.,
Acting Secretary.

[F.R. Doc. 69-10486; Filed, Sept. 2, 1969; 8:49 a.m.]

[Notice 402]

MOTOR CARRIER TRANSFER PROCEEDINGS

AUGUST 26, 1969.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 1132), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC-71337. By order of August 19, 1969, the Motor Carrier Board approved the transfer to Agee Motor Freight, Inc., Chicago, Ill., of certificate No. MC-82091 issued June 8, 1966, to Kelly Motor Freight, Inc., Drexel Hill, Pa., authorizing the transportation of floor covering, and materials, supplies, and equipment, used or useful in the installation of floor covering, from Philadelphia, Pa., to Camden, Harrison, and Kearny, N.J., New York, N.Y., Wilmington, Del., and Baltimore, Md., and general commodities, with the usual exceptions, between points in Philadelphia, Pa. Paul J. Maton, Suite 1149, 10 South La Salle Street, Chicago, Ill. 60603, attorney for applicants.

No. MC-FC-71528. By order of August 19, 1969, the Motor Carrier Board approved the transfer to V. & V. Trucking Corp., Brooklyn, N.Y., of permit No. MC-96574 issued September 17, 1954, to T. E. V. Corp., Brooklyn, N.Y., authorizing the transportation of brick and hollow tile between points in New Jersey, New York, and Connecticut within 50 miles of Brooklyn, N.Y., restricted to shipments having a prior or subsequent movement by rail, and between Brooklyn, N.Y., on the one hand, and, on the other, specified points in New Jersey, New York, and Connecticut. Morton E. Kiel, 140 Cedar Street, New York, N.Y. 10006, representative for applicants.

No. MC-FC-71564. By order of August 19, 1969, the Motor Carrier Board approved the transfer to Franklin Express, Inc., Franklin, Ky.; of certificate in No. MC-123189, issued November 6, 1961, to David T. Coots, doing business as Franklin Express, Franklin, Ky.; authorizing the transportation of: General commodities, with certain exceptions, between Nashville, Tenn.; and junction U.S. Highway 31W and Kentucky Highway 242, near Rich Pond, Ky.; serving all intermediate points in Kentucky. Robert M. Pearce, Post Office Box E, Bowling Green, Ky. 42101, attorney for applicants.

[SEAL] ANDREW ANTHONY, Jr.,
Acting Secretary.

[F.R. Doc. 69-10404; Filed, Aug. 29, 1969; 8:47 a.m.]

[Notice 403]

MOTOR CARRIER TRANSFER PROCEEDINGS

AUGUST 27, 1969.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 1132), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC–FC–71540. By order of August 21, 1969, the Motor Carrier Board approved the transfer to George H. Michael, doing business as Triple "M" Service, 3148 Brodhead Road, Bethlehem, Pa. 18017, of the operating rights in permit No. MC–125463 (Sub-No. 2) issued April 21, 1964, to Jacqueline P. Nadberazny, 1210 East Highland Street, Allentown, Pa. 18016, authorizing the transportation of waste textile scrap materials, between Allentown, Pa., on the one hand, and, on the other, all points in Connecticut, Massachusetts, Rhode Island, New Jersey, Delaware, and Maryland, and specified points in New York, West Virginia, and Virginia.

No. MC–FC–71558. By order of August 21, 1969, the Motor Carrier Board approved the transfer to Ernest B. Joseph, William P. Joseph, and Joe Ellis Joseph, a partnership doing business as A. Joseph & Co., Jackson, Miss., of the certificates in Nos. MC–117872, MC–117872 (Sub-No. 1), MC–117872 (Sub-No. 4), and MC–117872 (Sub-No. 5) issued November 14, 1960, May 18, 1962, September 2, 1964, and October 14, 1965, respectively to Wm. P. Joseph, Ernest B. Joseph, and Bessie T. Joseph, a partnership, doing business as A. Joseph & Co., Jackson, Miss., authorizing the transportation of specified commodities from New Orleans, La. to Denver, Colo., and points within 15 miles of Denver; from Gulfport, Miss., to points in Colorado; and from Freeport, Tex., to a described area in Colorado. Harold D. Miller, Jr., 700 Petroleum Building, Post Office Box 22567, Jackson, Miss. 39205, attorney for applicants.

[SEAL] ANDREW ANTHONY, Jr.,
Acting Secretary.

[F.R. Doc. 69–10423; Filed, Aug. 29, 1969; 8:49 a.m.]

[Notice 403A]

MOTOR CARRIER TRANSFER PROCEEDINGS

AUGUST 27, 1969.

Application filed for temporary authority under section 210(a)(b) in connection with transfer application under section 212(b) and Transfer rules, 49 CFR Part 1132:

No. MC–FC–71602. By application filed August 25, 1969, KAY'S TRUCKING, INC., No. 38 Sisson Avenue, Hartford, Conn., seeks temporary authority to lease the operating rights of INTERNAL REVENUE SERVICE (SUCCESSOR IN INTEREST TO GEORGE H. SMEDLEY, INC.), 551 Stanley Street, New Britain, Conn., under section 210a(b). The transfer to KAY'S TRUCKING, INC., of the operating rights of INTERNAL REVENUE SERVICE (SUCCESSOR IN INTEREST TO GEORGE H. SMEDLEY, INC.), is presently pending.

By the Commission.

[SEAL] ANDREW ANTHONY, Jr.,
Acting Secretary.

[F.R. Doc. 69–10424; Filed, Aug. 29, 1969; 8:49 a.m.]